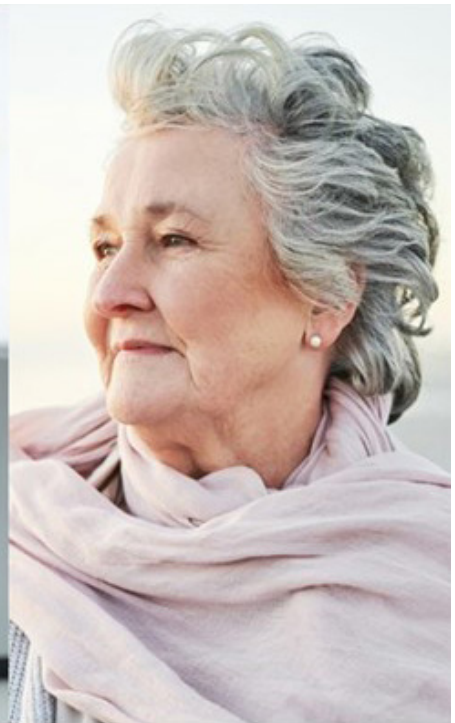


Report of the Minnesota Attorney General's Advisory Task Force on Expanding the Economic Security of Women

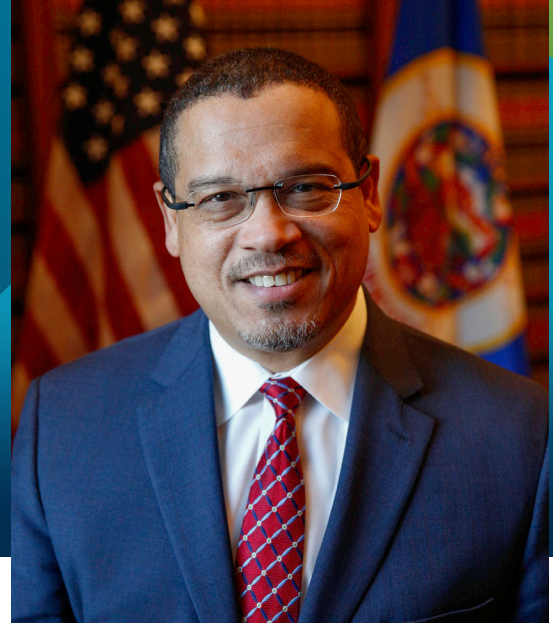
March 2022



The Office of
Minnesota Attorney General Keith Ellison
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Foreword

From Attorney General Keith Ellison



As Attorney General, I envision a state where all Minnesotans can afford their lives and live with dignity and respect. But across the country and in Minnesota, women face barriers to economic security and prosperity every day. Women still make an average of 79 cents to the dollar earned by men, a disparity that is even worse for women of color and American Indian women. Women are underrepresented in high-paying science, technology, engineering, and math jobs. They are being squeezed out of the job market because of a shortage of affordable childcare that was already at critical levels *before* the COVID-19 pandemic. They experience sexism, discrimination, and threats to their physical safety at rates not experienced by men, and they are on the receiving end of laws that infringe on their fundamental right to bodily autonomy.

When women have full access to economic opportunity, our entire society does better. When the Women's Economic Security Act (WESA) was passed in Minnesota in 2014, it raised the minimum wage, enacted policies to shrink the pay gap, bolstered pregnancy and parenting protections, and raised investments in early learning scholarships, among many other provisions. And yet, we know more needs to be done.

That's why I created a Task Force to not only assess where WESA has worked and where it can be improved, but also take on the enormous challenge of identifying in concrete terms how systems are failing women and where opportunities exist to remove barriers to their full participation in our economy. The 22 members of the Task Force brought a breadth of expertise, experience, and community relationships that they applied to their work. I am grateful for their trust in our office and their dedication to their charge, especially co-chairs Erin Maye Quade and Donna Cassutt.

The Task Force's report offers over 100 recommendations; I look forward to the work ahead of us in partnering with the legislature, employers, and community members to implement these recommendations and make Minnesota the most prosperous and economically secure state for women.

A handwritten signature in black ink that reads "Keith Ellison". The signature is written in a cursive, flowing style.

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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.



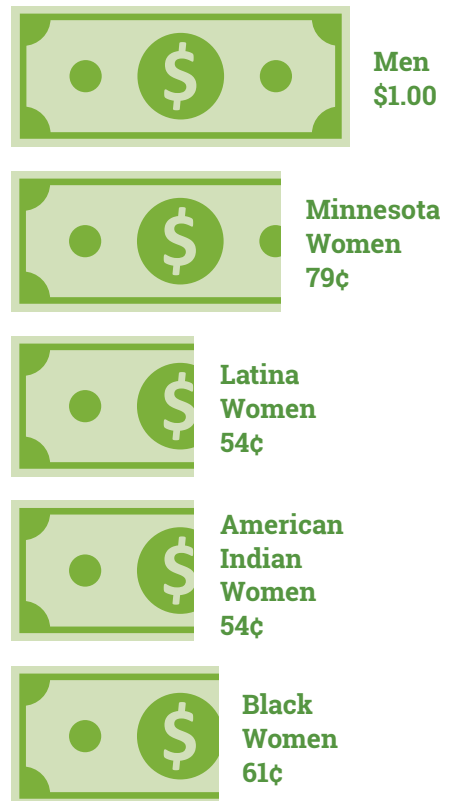
Introduction

Each year, women’s direct participation in the economy adds an estimated \$7.6 trillion to our nation’s gross domestic product (GDP).¹ Economists have estimated that including the value of non-market economic contributions, such as caregiving and household activities (where women spend 150 percent and 44 percent more time than men respectively²—would raise the GDP by 26 percent.³ Working mothers are significant contributors to their families’ financial security: in 2019, 71 percent of mothers in Minnesota were the sole, primary, or co-breadwinner, earning a substantial portion of their family’s income.⁴

Despite women’s contributions, the economy does not deliver the same returns for women as it does for men. Nationally, women are still paid less than men, are over-represented in low-paying jobs, take on the majority of unpaid caregiving and housework, and are more likely to live in poverty.

In Minnesota, women continue to face significant barriers to achieving their full potential in the economy.

- Minnesota women on average make 79 cents for every dollar that men make.⁵
- The wage gap is even larger for women of color and American Indian women. Latina, Native, and Black women earn 54, 54, and 61 cents, respectively, for every dollar that white men earn.⁶
- Women make up the majority of workers paid at or below the minimum wage, even when they hold an advanced degree.⁷
- Women are underrepresented in high-paying trade and science, technology, engineering, and mathematics (STEM) jobs.⁸
- The shortage of affordable childcare and the lack of widespread paid family leave further disadvantages women economically.⁹



Moreover, the COVID-19 pandemic has hit women with what the New York Times has called a “one-two-three punch:” first, jobs were lost in sectors of the economy like hospitality, retail, and health care where women dominate; second, jobs lost in government layoffs because of reduced revenue disproportionately affected women; and third, the burden of closed child-care centers and remote schooling has largely fallen on women, which further hurts their economic security.¹⁰ CNN has reported that the pandemic is hitting women of color and American Indian women hardest.¹¹

In 2014, Governor Mark Dayton signed the Women’s Economic Security Act (WESA), which expanded economic opportunity and strengthened workplace protections for women. However, more needs to be done to build on the achievements of WESA and create a more inclusive economy in Minnesota. In that spirit, Attorney General Keith Ellison created the Advisory Task Force on Expanding the Economic Security of Women in Minnesota to get to the root causes of women’s economic insecurity and find comprehensive solutions for turning it into security, equity, and opportunity.

Bylaws and Process of The Task Force

The mission and purpose of the Task Force was to:

- (1) serve in an advisory capacity to the Attorney General;
- (2) carry out a retrospective review of the Women’s Economic Security Act of 2014;
- (3) identify the following:
 - a. structural, cultural, and organizational barriers that prevent gender equity in the workplace;
 - b. legal and regulatory barriers that limit women’s equal participation in the economy;
 - c. the extent of gendered-based pricing (Pink Tax) in consumer goods and services;
 - d. the extent of the intersectional impact of race, ethnicity, and gender discrimination on the ability of Black, Indigenous, and Women of Color to achieve economic security; and
 - c. the socio-economic impact of the COVID-19 pandemic on women;
- (4) conduct a comprehensive analysis of various strategies that have been, and could be, undertaken to advance the economic security of women; and
- (5) create a recommended set of priorities for the Attorney General to advance the economic security of women; makes recommendations to the legislature on possible solutions, including regulatory reform (“charge”).¹²

To accomplish the goals set forth in its bylaws, the Task Force met 11 times from February 4, 2021 through December 21, 2021. Safety protocols intended to protect the Task Force, AGO staff, and invited guests from COVID-19 required conducting all meetings entirely over Zoom video conferencing with telephone access. Task Force meetings were open to the public, with a portion of each meeting agenda allotting time for public comment.¹³ Each meeting was dedicated to dissecting portions of the Task Force’s goals with expert topical presentations,¹⁴ surveys, and facilitated discussion.¹⁵ Through this process, the Task Force reached consensus on its findings and recommendations.¹⁶

Task Force Composition

The Task Force was composed of 15 voting members and 7 nonvoting ex-officio members. Members offered lived and professional expertise across a broad spectrum of issues and shared diverse perspectives that created a rich and robust understanding of the challenges women face and approaches to overcome them.

Voting Members		Ex-Officio Members
<p>Barbara Battiste Former Director, Minnesota Legislative Office on the Economic Status of Women</p>	<p>Dr. Christina Ewig Professor of Public Affairs and Director, Center on Women, Gender, and Public Policy, University of Minnesota</p>	<p>Lt. Governor Peggy Flanagan State of Minnesota</p>
<p>Betty Folliard Founder, ERA Minnesota</p>	<p>Cheniqua Johnson Relationship Manager, Saint Paul & Minnesota Foundation</p>	<p>Commissioner Rebecca Lucero Minnesota Department of Human Rights</p>
<p>Nancy Jost Director of Early Childhood, West Central Initiative, Fergus Falls</p>	<p>Dr. Brittany Lewis Senior Research Associate, Center for Urban and Regional Affairs (CURA), University of Minnesota</p>	<p>Donna Cassutt (Co-Chair) Chief of Staff Office of the Minnesota Attorney General</p>
<p>Erin Maye Quade (Co-Chair) Advocacy Director, Gender Justice</p>	<p>Batala McFarlane Publisher, Insight News</p>	<p>Liz Kramer Solicitor General Office of the Minnesota Attorney General</p>
<p>Lulete Mola President & Co-Founder, Philanthropic Collective to Combat Anti-Blackness & Realize Racial Justice</p>	<p>Kate Perushek Assistant Commissioner, Minnesota Department of Labor and Industry</p>	<p>Melissa Raphan Partner Labor & Employment Group LLP</p>
<p>State Senator David Senjem Senate District 25</p>	<p>Connie Smallman Co-Founder and Co-Chair, Operating Engineer Local 49 Women’s Group</p>	<p>Emilia Gonzalez Avalos Executive Director UnidosMN</p>
<p>Syeda Sadia Tarannum Co-Founder, NorthWest Islamic Community Center</p>	<p>Alene Tchourumoff Senior Vice President of Community Development and Engagement, Federal Reserve Bank of Minneapolis</p>	<p>Bethany Winkels Executive Director Minnesota AFL-CIO</p>
<p>State Representative Samantha Vang House District 40B</p>		



Task Force Findings and Recommendations

The goals defined in the bylaws of the Task Force overlapped considerably as the Task Force attempted to define and articulate the myriad challenges women face to economic prosperity and mobility. The Task Force agreed that a series of ubiquitous, inequitable cultural values and structural problems are the roots of the barriers and disparities the Task Force identified, providing a starting point to understanding the analysis provided in the remainder of the report. These values and structural problems are embedded in the way each sector operates, at times intentionally creating obstacles for women and at other times perpetuating inequities by *not* proactively being intentional in institutional designs to prevent inequities from happening.

Low Value Assigned to Caregiving

“Children and caretaking are not seen in this country—one of only a few wealthy nations—as a public good. This is the root of why we don’t pay childcare workers a lot: we don’t value people who have children, we don’t value the time it takes to raise healthy children, we don’t create systems to care, educate, feed, be in community with children and leave it up to people to figure it out with a patchwork system.”

— Task Force Co-Chair Erin Maye Quade

Providing care to children, elders, relatives, and friends is a critical service that is essential for our society’s wellbeing. Women provide care in disproportionate numbers compared to men, and it is hugely undervalued. How much the labor of a stay-at-home parent is worth is hotly debated social discourse, though the low pay earned by childcare providers and medical care providers in women-dominated occupations provides a clue.

Pervasive Power Imbalance

“ Society was created with the assumption that women would not be full participants in it; we have to break each one of those assumptions. ”

— Task Force Member Cheniqua Johnson

The uneven opportunities to full participation that women experience is woven into numerous aspects of life. Women are excluded in the foundational documents of the United States, resulting in persistently unequal treatment in court systems despite major legal victories such as Title VII of the Civil Rights Act. Power dynamics in the rules of the economy provide little recourse for workers—more egregiously so for working women—and open the door to exploitation from employers. Reproductive care laws, which vary wildly from state to state, infringe directly on women’s bodily autonomy in ways not experienced by men. Women continue to experience “glass ceilings,” preventing them from accessing opportunities in the full spectrum of occupations and industries available.

Women’s Safety is not Prioritized

“ There needs to be more of an acknowledgement that the patchwork for-profit healthcare industry is really failing women and disproportionately so in a way that is killing women and killing women of color and that includes everything from reproductive healthcare and abortion access to maternal healthcare and access to mental health care. It’s all of it, and we should be thoughtful about tying those dots together. ”

— Task Force Ex-Officio Member Bethany Winkels

Women are overwhelmingly affected by physical endangerment, sexual exploitation, and gender-based violence. The #MeToo movement gave space for women to talk about the constant state of alertness and situational awareness they must maintain. Murder and disappearances of women have reached levels that have required formation of task forces and government offices dedicated entirely to their prevention.¹⁷ Black women continue to face higher rates of maternal death¹⁸ and shorter life expectancies¹⁹ than any other group, a result of deeply embedded racism in modern medicine and healthcare systems.

Power Imbalances in Creating Public Policy

“Public opinion follows public policy—put it into law and it will shift how society views women.”

— Task Force Member Betty Folliard

Minnesota continues to face some of the worst disparities in the country for communities of color, yet public policy still does not consistently take into account the intersections among different types of inequality like gender, race and other forms of disadvantage—what is called “intersectionality.” The mere mention of the word “equity” is enough to trigger partisan debates that close the door to productive policymaking. Meanwhile, the door is held wide open for private-interest lobbying, which influences how systems (educational, healthcare, employment, and on and on) operate and how the public at large is affected in essentially all aspects of their lives, including their own opinions.

These four predominant values reflect the experiences of the members of the Task Force and are shared by women everywhere, which ultimately limits the possibilities for our society at large. Therefore, in its findings the Task Force also offers solutions to better serve women moving forward, turning Minnesota into the most prosperous and economically secure state for women and model for other states.



Retrospective Review of the Women's Economic Security Act of 2014

Image Source: [Minnesota Legislative Reference Library](#)

The Women's Economic Security Act (WESA)²⁰ is a package of 14 provisions that went into effect on August 1, 2014 to bolster existing statutes and create new gender equity protections for women. In its review of WESA, the Task Force assessed the effectiveness of WESA overall and then focused on specific provisions.

1. WESA Generally

The Minnesota Department of Labor and Industry (DLI) is responsible for education and enforcement of five key WESA provisions:

- Wage Disclosure Protection²¹
- Pregnancy Accommodations²²
- Pregnancy and Parenting Leave²³
- Nursing Mothers²⁴
- Sick Leave Benefits; Care for Relatives²⁵

Since 2014, DLI has completed
98 investigations
into **107** complaints
finding **26** violations

DLI produces an annual report²⁶ that includes a summary of investigations of complaints in each year and a cumulative tally of all investigations since WESA's inception. Since 2014, DLI has completed 98 investigations into 107 filed complaints, finding violations in 26 of those investigations. Generally, DLI finds that violations are often due to employers' lack of awareness of their WESA responsibilities, violations are often immediately remediated by employers when contacted by DLI, and often employees who turn to DLI with WESA-related complaints do not meet the definition of "employee" or work at an employer of the size that is covered by WESA.

Effective components

- The enforcement mechanisms give WESA teeth and provide an incentive for proactive compliance. These mechanisms include the ability to issue cease and desist orders and orders requiring WESA compliance, ordering the payment of back wages and liquidated damages to employees, and assessment of penalties up to \$1,000 per willful or repeated violation.
- Information on WESA is available in multiple languages, providing an avenue for more effective engagement with diverse communities across the state.

Opportunities for improvement

- In the seven years since WESA's inception, there have only been 107 filed complaints, a low number given to the size of Minnesota's workforce. The Task Force views this as an indication that further outreach is needed.
- The onus is still primarily on workers to complain about violations, which can be affected by workplace power imbalances and cultural or gender norms.

Task Force Recommendations

- 1.1 Conduct more outreach to workers by partnering with community-based organizations to raise awareness of WESA protections, especially in Greater Minnesota.²⁷
- 1.2 Create a proactive employer compliance mechanism to shift the burden of 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 protections²⁸

Prevents employers from: stopping employees from voluntarily disclosing their wages or conditions of employment; requiring employees to sign a waiver that takes away their right to tell others about their wages or working conditions; or treating employees differently because they told someone about their wages or working conditions. Requires employers to provide notice about employee rights under this law in the company's employee handbook.

Effective component

- Wage disclosure protections are a good step toward full wage transparency, and hopefully, pay equity.

Opportunities for improvement

- These wage disclosure protections still do not reach the potential impact that could be experienced for workers if proactive wage transparency from employers was required. The onus is still on employees to feel confident and comfortable broaching the topic of pay with co-workers, which is still often perceived as a breach of social norms.
- Wage disclosure protections do not apply to job postings, despite research showing that lack of salary transparency is correlated with pay inequities for women, and especially for women of color and American Indian women.²⁹

Task Force Recommendations

- 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.
- 2.1 Require salary transparency in job postings.

3. Pregnancy Accommodations³⁰

Requires employers to provide the following accommodations if requested by a pregnant employee without requiring documentation from a healthcare provider or doula: more frequent restroom, food, or water breaks; seating arrangement; limits on lifting over 20 pounds. A pregnant employee may request other reasonable accommodations when they have received advice from a health care provider or doula and the accommodation would not impose an undue hardship on the employer's business. Prevents employers from requiring an employee to take leave or accept an accommodation or retaliate against an employee for requesting or refusing an accommodation. This provision applies to employers of at least fifteen employees.³¹

Effective components

- Changes in the law that went into effect on January 1, 2022 removed the requirement that employees had to have worked for the 12 months immediately prior to filing a WESA claim in order to be protected. This change no longer limits an employee's professional or economic mobility; previously, an employee could encounter a situation where they might not be able to take a higher paying job elsewhere out of concern that pregnancy accommodation requirements would no longer protect them.
- Changes in the law that went into effect on January 1, 2022 reduced the number of employees an employer has in order to require compliance with the pregnancy accommodation provision of WESA from 21 at one site to 15.

Opportunities for improvement

- Covering smaller employers would benefit more employees.
- The onus is still on the pregnant person to request the accommodation, which can be problematic for women whose cultural norms would prohibit them from discussing this type of need or where a power differential exists that presents a barrier.

Task Force Recommendations

- 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 Leave³²

Requires employers to provide 12 weeks of unpaid pregnancy and parenting leave within 12 months of the birth or adoption of a child. Allows employee to use pregnancy leave if the employee cannot work because of prenatal care, pregnancy, childbirth, or related health conditions. Paid leave and FMLA leave count toward the total of 12 weeks of leave. This provision applies to employers who have 21 or more employees at one site. An employee is eligible for pregnancy and parenting leave if they have worked for their employer for at least 12 months and they have worked at least half time during the previous 12 months.



Opportunities for improvement

- Many employees work at employers with fewer than 21 employees. That number is now higher than the threshold for pregnancy accommodations, creating unnecessary complexity for employers and employees.
- The 12-month employment requirement is unreasonable.
- Unpaid leave is not an option for many families, making this law essentially inapplicable for low-income families. Paid family and medical leave is essential for advancing women’s economic security. The United States is unique among industrialized nations in not providing paid leave.

Task Force Recommendations

- 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 Mothers³³

Requires employers of any size to provide reasonable break time each day to any employee who needs to express breastmilk during the 12 months following the birth of a child. However, the employer is not required to provide the break time if doing so would unduly disrupt the employer's operations. Requires employers to make a reasonable effort to provide a space to express milk that is near the work area, is a room other than a bathroom or toilet stall, is shielded from view, is free from intrusion from coworkers and the public, and includes access to an electrical outlet. Upon receiving a complaint, DLI must contact an employer within 2 business days and investigate within 10 days. Prohibits employer retaliation against an employee asserting rights/remedies. As of January 1, 2022, employers cannot reduce an employee's compensation for the time used to express breastmilk. However, the law also does not require employers to pay for the use of a currently unpaid break time to express breastmilk.

Effective components

- Requiring nursing rooms means that building codes have to ensure that new buildings have these dedicated spaces, which in turn has an impact on workplace and public awareness of the realities of motherhood and its related needs.
- While most elements of this law have been on the books since 1998, WESA added access to an electrical outlet, privacy, a dedicated space other than a bathroom, and anti-retaliation protections.
- Changes in the law that went into effect on January 1, 2022 clarified that an employee is entitled to "breaks" (plural) and that their compensation cannot be reduced, providing a form of paid time for nursing people. It further prohibited employers from requiring that employees make up time used to express milk at work.
- The quick turnaround from the filing of a complaint to a prompt investigation brings appropriate urgency to a possible WESA violation that prevents negative effects on a nursing person's milk supply.

Opportunities for improvement

- Many pediatricians recommend a longer breastfeeding period of 2 years, creating a discrepancy with the 12-month accommodation in the statute.
- Allowing employers to claim undue hardship for providing break times to express milk may prevent employees from obtaining the benefit.

Task Force Recommendations

- 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 Leave³⁴

Requires employers that allow an employee to take time off for their own injury or illness to also allow the employee to take time off to care for an ill or injured relative (specifically, minor child, adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent) or as “safety leave” (to provide or receive assistance because of sexual assault, domestic abuse, harassment, or stalking) for themselves or a relative (as listed above). The law does not require employers to provide paid sick leave generally. An employer may limit the use of sick leave for family care (other than a minor child) to 160 hours in any 12-month period. This provision applies to employers who have 21 or more employees at one site and offers paid personal sick leave benefits. An employee is eligible for sick and safe leave if they have worked for their employer for at least 12 months and they have worked at least half time during the previous 12 months. An employer may not retaliate against an employee for requesting or obtaining a leave of absence under this provision.

Effective components

- The addition of “safety leave” now allows employees to take time off of work for reasons of domestic abuse/gender-based violence, sexual assault, and stalking.
- Next-of-kin language now includes care of grandchildren.

Opportunities for improvement

- Unpaid leave is not an option for many families, making this law almost inapplicable for low-income families.
- Many employees work at employers with fewer than 21 employees. That number is now higher than the threshold for pregnancy accommodations, creating unnecessary complexity for employers and employees.
- Illness does not strike at planned or convenient times, and employees should be entitled to take advantage of this benefit regardless of when they started their job. Depending on the caretaking responsibilities of an employee, the 12-month employment requirement can also restrict economic and/or professional mobility.



Task Force Recommendations

- 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

Established a grant program at the Minnesota Department of Employment and Economic Development (DEED) that provides funding to organizations with programs that increase the number of women in high-wage, high-demand, nontraditional occupations, including the skilled trades and STEM occupations.^{35,36} Provided one-time grant to Women Venture and the Women’s Business Center of Northeastern Minnesota at the Northeast Entrepreneurial Fund to facilitate and promote the creation and expansion of women-owned businesses in Minnesota. Raised the minimum wage to \$9.50 an hour by 2016. Requires employers with more than 40 employees seeking state contracts over \$500,000 to state that average compensation for female employees is not consistently below average compensation for male employees within similar major (EEO) job categories.³⁷



Effective components

- The high-wage, high-demand nontraditional jobs grant program now receives a base appropriation of \$1.5 million each biennium, after initially receiving a \$500,000 one-time appropriation in WESA.
- Almost 1,300 state contractors have received Equal Pay certifications and 122 are currently undergoing audits, an important form of accountability.

Opportunities for improvement

- Participant data tracked by DEED for its annual report does not appear to include the types of occupations participants went into to effectively monitor if the number of women entering skilled trades and STEM occupations is increasing.³⁸
- Minimum wage and inflationary increases are insufficient. Even hourly pay of \$15 is inadequate, as the wage needed to afford the average rent on a modest one-bedroom apartment in Minnesota in 2021 is \$17.40 per hour.³⁹

Task Force Recommendations

- 7.1 Increase the state minimum wage to \$17.40 per hour and eliminate the subminimum wage.⁴⁰
- 7.2 Explore the potential applicability of comparative worth laws beyond the public sector. According to the Legislative Office on the Economic Status of Women, comparative worth laws evaluate “all jobs or job classes by rating the skill, effort, responsibilities, and working conditions of a job, and assign[ing] a level (usually ‘points’) to that job. Wages for jobs held mostly by women can then be compared to the wages for men at the same or similar level, and any inequities can then be corrected.”⁴¹

- 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 DEED's Women and High-Wage, High-Demand Nontraditional Jobs Grant Program⁴² to reduce occupational segregation that contributes to pay gaps.

8. Early Learning Scholarships⁴³

Expanded access to high quality early learning opportunities with a \$4.65 million appropriation in 2014 that reached \$70 million in fiscal year 2021. Raised the scholarship limit from \$5,000 per child to \$7,500 for general population children and \$10,000 for children in priority populations.

Task Force Recommendation

- 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.

A photograph showing three women in a professional setting. One woman with dark skin and curly hair is on the left, looking towards the other two. A woman with long brown hair is in the middle, looking down. A woman with long dark hair is on the right, smiling and pointing at something off-camera. The background is blurred, suggesting an office or meeting room.

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

As part of the goals stated in its bylaws, the Task Force identified structural, cultural, organizational, legal, and regulatory barriers preventing gender equity in the workplace and limiting women's equal participation in the economy. The Task Force also conducted a comprehensive analysis of various strategies that have been and could be undertaken to advance the economic security of women. The Task Force offers the following findings.



Workplace

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

Women, people of color, aging workers, and youth workers persistently experience pay inequity that is caused by multiple, and often compounding, factors.⁴⁴ A lack of salary transparency requirements perpetuates social norms around pay secrecy, which can mean a worker experiences wage discrimination without knowing about it.⁴⁵ When employers inquire about women's salary history, it perpetuates flattened pay.⁴⁶ At the same time, women are less likely to negotiate salaries or ask for a raise, as they risk being seen as too aggressive if they do so.⁴⁷ As a result, women earn less than men across hundreds of occupations in a variety of sectors.⁴⁸

The minimum wage itself is contributing to wage gaps. Women make up 59% of Minnesota workers paid at or below the minimum wage, even when they hold an advanced degree.⁴⁹ Youth employment programs are allowed to pay a small-employer minimum wage in Minnesota⁵⁰ regardless of their employees' qualifications and whether they are critical contributors to household income.



Task Force Recommendations

- 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

Occupational clustering accounts for about half of the gender wage gap in the United States⁵¹ reflecting both the devaluation of “traditionally female” jobs and the underrepresentation of women in predominantly male occupations. Female-dominated occupations have an average wage of \$22 an hour, compared to male-dominated occupations with an average wage of \$29 an hour.⁵² STEM careers are among the highest paid, yet women make up only 26% of the STEM workforce in Minnesota.⁵³ At that rate of occupational participation, the low presence and voice of women in STEM careers, especially in leadership positions, perpetuates the perception that such fields are a “men’s club,” unwelcoming to women interested in careers in those fields.

Women make up only
26%
of the STEM workforce
in Minnesota

Task Force Recommendations

- 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

Researchers at the University of Minnesota recently identified a disturbing trend in race and gender wage gaps: while the gender wage gap is slowly decreasing, the racial wage gap has increased in recent years, a shift that has been magnified by the COVID-19 pandemic.⁵⁴ Women of color and American Indian women are affected by the intersectional impacts of gender *and* race based inequities, and in households where men of color are the sole income earner, the wage gap they experience affects the financial stability of their families (including, to the point of the report, the economic stability of women).

Proving discrimination places a burden on individuals to take on powerful actors, which requires resources and the ability to navigate complex systems and rarely guarantees a favorable outcome. While advocates point to the status quo as evidence of a need to require anti-bias training across sectors, studies show mandatory trainings of this nature can generate backlash and lower the quality of training that is provided.⁵⁵ Nonetheless, the onus needs to be on employers, not on individuals, to create discrimination-free work environments.

Task Force Recommendations

- 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

Historically, unionization has driven improvements in workplace safety, stability in employment, and employer-paid benefits. Studies show many advantages specifically for unionized women. Unionization closes the gender wage gap from an average of 78 cents for women per dollar for men to 94 cents for women per dollar for men.⁵⁶ On average, women in unions make 12 percent more than their private sector industry peers.⁵⁷

Women in unions make
12% more
than their private
sector industry peers

Unionization has also been shown to reduce wage gaps between Black and White women by 13 percent to 30 percent.⁵⁸ Because unions tend to raise awareness of workplace benefits and offer process navigation support to its membership, unionized women are 17 percent more likely to use paid parental leave.⁵⁹ During a time where 45 million workers owe a total of \$1.7 trillion in student loan debt,⁶⁰ unionized jobs offer apprenticeships, Earn While You Learn programs, and higher rates of guaranteed pensions⁶¹ for their workers compared to nonunionized jobs.



Despite these advantages for workers, unionization is under constant attack:

- In its 2018 *Janus v. AFSCME* decision, the Supreme Court overturned previous policy that allowed unions to collect fees from non-union members that enjoy the workplace benefits gained through union efforts in the public sector. This decision, and similar “Right to Work” laws, undermines the effectiveness of unions, diluting their collective bargaining power by making it harder for unions to sustain themselves financially.
- The 1931 Davis-Bacon Act requires contractors and subcontractors executing federal contracts valued of \$2,000 to pay employees “prevailing wages.” Because prevailing wages differ by area, the Department of Labor determines these rates for awarded projects, but for decades contractors have been able to delay application of the Davis-Bacon regulation by appealing whether it applies to their contracts and delay (or altogether avoid) committing to paying prevailing wages to their workers.⁶²
- The 1935 National Labor Relations Act (NLRA) preserves the right of private sector workers to unionize and protects them from employer retaliation, intimidation, or coercion in relation to organizing efforts. However, companies are allowed to hold captive audience meetings (such as requiring watching anti-unionization videos during new employee orientation), promote active disinformation campaigns, and employ active stalling tactics to avoid contract approvals when a workplace votes to unionize, effectively running out the clock on union certification. Additionally, insignificant penalties (such as being required to post a notice of the NLRA or having to reinstate a terminated worker) are not enough to deter employers from application of outright illegal tactics, such as firing union organizers, reporting workers to immigration enforcement authorities, or threatening to close worksites considering unionization.⁶³

Task Force Recommendations

- 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.



Caregiving

“ Throughout my career, we have seen time and again that the most important factor in determining a woman’s long-term financial outcome is her decision on whether or not to have kids. ”

-Task Force Member Barbara Battiste

13. Penalties for caregivers

Caregiving responsibilities (child, elder, and other) are still disproportionately carried out by women,⁶⁴ which impacts their lifetime work hours and earnings. When a woman takes time out of her career to provide care, it naturally results in less actual work experience, which then affects her career progression. Women caregivers thus often face the choice between compromising career opportunities or taking on jobs that offer more flexibility but lower pay to manage a balance between caregiving responsibilities and work. The disparity in lifetime earnings results in older women often living in poverty: having been paid less than men and worked fewer hours, they have less in savings, lower or no retirement benefits, and lower social security benefits.⁶⁵



Parenting leave policies that do exist are often short and unpaid, making them practically useless for low wage workers that are also the primary family caregivers. The Family and Medical Leave Act (FMLA) does not account for challenges of the use of shared parental leave because it does not require that leave be paid. Additionally, when parents use FMLA time they do not build credits toward social security benefits. Further, the Task Force views the 12 weeks offered by FMLA as simply not enough time to compensate for the physical, mental, and emotional toll of giving birth and parenting. Stronger family policies, including paid leave and access to low cost, quality childcare have been shown in other countries to be key to keeping women in the labor force full time and for the long term.

Task Force Recommendations

- 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

Childcare in Minnesota is incredibly expensive and often unaffordable: high-quality infant care can cost the same as a year of tuition at the University of Minnesota.⁶⁶ Low-income families that seek assistance in order to afford childcare face a system that can evaluate their financial resources too strictly, such as including sources of income that are unpredictable or short term like unemployment insurance. When low-income families do succeed in securing subsidized care, the support they receive is limited because the current government funding levels those programs receive is too low. Furthermore, these families face the threat of the “cliff effect”: the risk that taking a raise or promotion could make them ineligible for continued benefits, and the out-of-pocket cost of unsubsidized childcare is greater than their pay increase.

The scarcity of childcare is experienced by families of all income levels with pre-school aged children. Waiting lists for infant childcare are notoriously long, often longer than even the duration of the pregnancy that necessitates the childcare. For women in the gig economy or who do shift work outside of traditional business hours, childcare is even harder to find. These shortages are experienced to an even greater degree by families seeking care in Greater Minnesota, where infant care is often not available at all.

At the same time, the childcare industry is experiencing a shortage of workers, in part due to the average industry pay, which is among the lowest for professions that require a 4-year degree and is routinely below the basic cost of living.⁶⁷ Family-provided care options are also scarce, as the process of securing permitting can be challenging, and where providers opt to avoid the permitting process altogether, families risk attaining substandard care for their children. The COVID-19 pandemic has exacerbated this set of complex and interactive childcare problems, as schools send children home for remote learning while caregivers either must continue reporting in person or must conduct their own work remotely with their children.



Task Force Recommendations

- 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.



Health

15. Access to healthcare

The out-of-pocket cost of health care is high, meaning that for many families access to healthcare is tied to employment or State benefits, which comes with its own limitations. First, small employers are exempted from providing certain benefits, such as health insurance or FMLA leave. Second, tying healthcare to employment creates a job locking effect—an employee may pass on changing jobs or starting a business because of the resulting lapse in insurance coverage. Third, when healthcare is tied to State benefits, it perpetuates the “cliff effect” described in item 14 regarding childcare affordability and availability.

Task Force Recommendations

- 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

A woman's decision whether to have children, how many children to have, and at what age and stage of life to have children are among the most important factors in whether a woman and her family will be economically secure. Thus, the Task Force views an analysis of reproductive choice and freedom as a key part of its work.

Fundamentally, the Task Force takes the position that the government should not interfere in the personal decisions that families and/or individuals make for themselves and their bodies. There is a long history of reproductive control, especially of women of color and American Indian women, that is still prominently present today: as recently as 2020, immigrant women reported undergoing forced hysterectomies while under detention by U.S. Immigration and Customs Enforcement.⁶⁸ Government policies on contraceptive care have included exemptions for employers on religious grounds, creating additional financial barriers to family planning.

Even young women experience financial pressure from reproductive needs that men and boys do not. In the United States, 1 in 5 teenage girls have reported that they have struggled to afford feminine hygiene products and 4 in 5 girls have missed class time or know someone who did because of lack of access to feminine hygiene products.⁶⁹

1 out of 5
teenage girls have struggled
to afford feminine hygiene
products

4 out of 5
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feminine hygiene products

Task Force Recommendations

- 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

Numerous studies point to persistently inequitable health outcomes for women of color and American Indian women, and people of color more broadly. According to the Centers for Disease Control and Prevention (CDC), at a national level "Black women are three times more likely to die from a pregnancy-related cause than White women."⁷⁰ In Minnesota, the rate of death for Native American women from lung cancer or heart disease, for Black women of breast cancer, and for Black and Asian Minnesotans from strokes is higher than for White Minnesotans.⁷¹ American Indian and Black babies born in Minnesota are more than twice as likely to die before their first birthday compared to White babies.⁷²

Many factors contribute to these and countless other examples of health disparities. Health insurance tied to employment and low availability of culturally competent health providers affect access to preventive, maternal, and post-partum health care. Additionally, the roots of the study of medicine labeled Black people as inferior physically and intellectually and attributed variances in health outcomes to genetic differences.⁷³ The legacy of this belief system is still visible today, such as in a 2020 study on disproportionate rates of COVID-19 that point to biological processing differences in Black people or a 2021 study that ascribes “mysterious” racial disparities in congenital heart disease to genetic differences in Black and Latino people.⁷⁴ A 2020 study assessed the inclusion of race corrections in clinical algorithms used to assess risk of disease and guide decisions on prognosis and treatment, warning that the field of medicine may still be viewing race as a genetic deficiency indicator, as opposed to being correlated with gaps in social, economic, and environmental determinants of health.⁷⁵



Task Force Recommendations

- 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

Compared to men and boys, in Minnesota almost twice as many women report currently or previously experiencing depression (a trend that is visible even among girls as young as 14 years), college-aged women are over 5 times more likely to battle eating disorders, and teenaged girls are 2-3 times more likely to attempt suicide.⁷⁶ Poverty plays an important role in mental health issues as well as in ability to access treatment.⁷⁷ On a societal level, discussing mental health issues still comes with a stigma, which can discourage seeking treatment. Even when treatment is sought, a shortage of mental health practitioners has produced long waiting lists, and for people of color that were already struggling to find culturally competent providers, that shortage is even worse. The COVID-19 pandemic has caused additional and prolonged stress population-wide, fueled by worries about contracting the virus, job losses, magnified childcare shortages, isolation and loneliness, and the grief of losing loved ones to the virus.⁷⁸

Task Force Recommendations

- 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.⁷⁹
- 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

Of women in
Minnesota

42%

reported sexual
violence

20%

reported rape or
attempted rape

66%

of these
assaults were
committed
by a previous
or current
partner

Data on gender-based violence in recent years depicts a harrowing picture for girls and women in Minnesota:

- In the course of their lifetime, 42 percent of women in Minnesota reported sexual violence and 20 percent reported rape or attempted rape, with 66 percent of these assaults committed by a previous or current partner. In 2015 alone, “there were an estimated 477,000 female rape victims.”⁸⁰
- 8 percent of 11th grade girls in Minnesota report experiencing sexual abuse at some point in their lives, with the highest rates experienced by Native American girls (15 percent) and Latinas (14 percent).⁸¹
- In 2018, there were 46 reports of female human trafficking in Minnesota.⁸²
- Between July 2015 and June 2016, 826 Minnesota youth received care services for sexual exploitation, of which 85 percent were girls with an average age of 15 years.⁸³
- In 2020, at least 20 Minnesotan women were killed by a current or former partner, the highest number recorded since 2015, with the increase likely caused by intensified gender-based violence during the COVID-19 pandemic.⁸⁴
- A 2018 report found that Black women are nearly 3 times more likely to be killed by their intimate partners than White women.⁸⁵
- A 2018 survey of 59 domestic violence programs in Minnesota showed that on an average day:

- 2,007 victims were helped with emergency or transitional housing, counseling, legal advocacy, transportation, children’s support services, or prevention services and 28 domestic violence hotline calls were answered per hour; yet,
- 308 more requests for help could not be met because of insufficient program resources. Furthermore, resource shortages drove the elimination of 28 staff positions, the vast majority of which were direct service providers.⁸⁶

Low availability of program resources for women experiencing gender-based violence is even worse for women seeking culturally informed approaches or culturally adequate housing resources. When access to services is tied to reporting to police or interacting with the carceral system, some women may be intimidated or discouraged from asking for help for fear of personal consequence or retaliation from their abuser.⁸⁷

Task Force Recommendations

- 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.⁸⁸
- 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.



Economic Opportunity

20. Barriers to economic mobility for low-wage workers

Low-income women, immigrants, and women in rural Minnesota face practical barriers to economic security and mobility that are less likely to affect middle-income women. Lack of transportation, highspeed internet, and language barriers make it difficult to access resources, while unexpected economic stressors can become destabilizing hardships with severe consequences. For instance, a prohibitive car repair cost can make it impossible to reach employment, combine work and care for family and friends, leave a situation of gender-based violence, access supportive resources, or attain reproductive care that may be long distances away.

The education and training needed to retain jobs that pay the level of wages that can support breaking through generational poverty can be expensive and even inaccessible. Economic mobility can also be stunted by non-compete contracts, which affect more than 1 in 10 low- to moderate-income workers and are associated with reduced pay.⁸⁹

Task Force Recommendations

- 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

The current public benefits system is not working for the people who need it. Applicants for support through the Minnesota Family Investment Program (MFIP) and Supplemental Nutrition Assistance Program (SNAP) report long processing times despite the state’s 30-day processing guidelines. Applicants who receive benefits must find other ways to attain critical items, such as diapers and feminine hygiene products, which are not approved expenses. More broadly, social welfare programs rely on means-testing for eligibility, which creates dangerous benefits cliffs for recipients. Finally, societal perception remains that recipients are “gaming the system” and that their behavior should be surveilled, stripping recipients and their families of their dignity and challenging their deservingness.

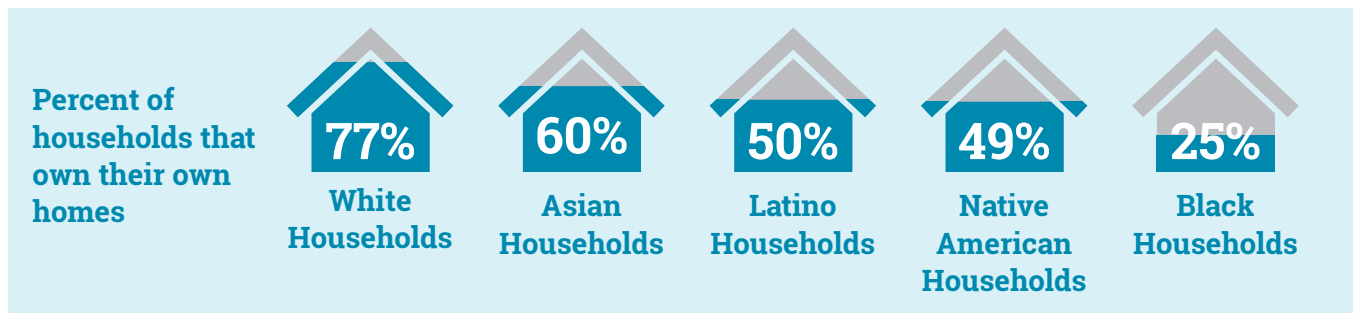
Task Force Recommendations

- 21.1 Streamline 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

All Minnesotans should be able to access safe, stable, and affordable housing. However, persistent scarcity and elevated costs mean fewer Minnesotans have access to housing. The Minnesota Housing Partnership estimates that in 2021, there were approximately 169,585 extremely low-income renter households, defined as earning at or under 30 percent of the area median income. At the same time, there were only 64,238 housing units that were affordable and available for this category of renters, resulting in a housing gap affecting 105,347 households.⁹⁰

Currently, there are over 31,000 Minnesota households using federal housing choice vouchers in Minnesota, with 77 percent of these vouchers going to families with children, reflecting about 42,300 children.⁹¹ At the same time, another “32,600 Minnesota children—including 16,000 children under 6—were living in shelters, on the street, doubled up with other families or in hotels or motels during the 2015-2016 school year.”⁹²



On the homeownership side, Minnesota has one of the worst racial disparities in the country. About 77 percent of White households own their homes compared to 60 percent for Asian households, 50 percent for Latino households, 49 percent for Native American households, and 25 percent of Black households.⁹³ These disparities affect single-mother households from communities of color more than any other group.⁹⁴

While these figures are at the household and family level, the fact remains that housing issues are a critical factor in women’s economic security. The Task force views housing issues as a very complex set of problems that deserve more detailed, focused attention beyond the scope of the Task Force’s charge. Therefore, the Task Force offers the following recommendations as a starting point for a future body to explore.

Task Force Recommendations

- 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

In general, women-owned businesses are fewer, smaller, and generate less revenue than men-owned businesses. In 2012, women owned 32 percent of businesses in Minnesota, employing 8 percent of paid employees, generating 4 percent of payroll, and accounting for 4 percent of Minnesota’s business revenue. In contrast, the 55 percent of Minnesota businesses owned by men in the same year employed 33 percent of paid employees, generated 29 percent of payroll, and accounted for 29 percent of business revenue.⁹⁵ In the two industry sectors where the revenue generated by women-owned firms was closest to men-owned firms (still at only 78 percent), female ownership was greatly underrepresented at only 7 percent.⁹⁶ There are also racial disparities within female entrepreneurship. In 2019, 50 percent of women-owned businesses nationally were owned by women of color and American Indian women, but they generated less than a quarter of all women-owned businesses revenue.⁹⁷

Task Force Recommendation

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



24. Representation

Women in Minnesota are disproportionately underrepresented in public office. In 2019:

- Women were 50 percent of Minnesota’s population, but held 22 percent of elected offices.⁹⁸
- Women of color and American Indian women made up 9 percent of Minnesota’s population, but held 1 percent of elected offices.⁹⁹
- 32 percent of legislators in the Minnesota House and Senate were women.¹⁰⁰
- 17 percent of all county board chairs were women.¹⁰¹
- 17 percent of Minnesota cities had female mayors.¹⁰²



When political representation reflects demographics, policy is more closely aligned with population needs and experiences. For instance, women in politics “introduce more legislation than men related to women’s rights, children, and family.”¹⁰³ While women, especially women of color and American Indian women, have been steadily making gains in running and winning elected office,¹⁰⁴ much can be done to boost and sustain this trend.

Task Force Recommendations

- 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

The federal immigration system is extremely complex and is notorious for its difficult systems navigation. Visa processing backlogs and sudden policy changes during transitions in presidential administrations create uncertainty for immigrants that can result in job loss, financial insecurity, and risks to personal safety. Minnesota's approximately 83,000 undocumented immigrants experienced the economic devastation caused by COVID-19 pandemic with little support, as they were excluded from federal stimulus relief efforts and were unable to access unemployment insurance when businesses closed.¹⁰⁵ Beyond the pandemic, undocumented people in Minnesota, including women, have long experienced sexual harassment and exploitation, labor trafficking, and wage theft, abuses upheld by a lack of legal protections.¹⁰⁶

Task Force Recommendations

- 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

Minnesota has funded a dedicated office to advise the legislature and provide information and statistics on women since 1976, when the Legislature created the Council on the Economic Status of Women. The office was reorganized as the Commission on the Economic Status of Women in 1983 and again in 2005 as the Office on the Economic Status of Women (OESW) before closing down in 2011 during a difficult budgetary year. The 2014 Women's Economic Security Act included the return of OESW, but it was closed again in 2017 after losing its funding during a special legislative session.¹⁰⁷

The reports produced by OESW included information on female entrepreneurship and political participation, summaries of the impact of new legislation on the economic status of women, and snapshots of women's economic experiences from across the state. OESW centered gender and intersectional equity in its assessments of public policies, providing well-researched tools for government accountability. Reinstating and funding OESW are essential steps toward ensuring that gender equity is once again integrated into all facets of legislative policymaking, bolstering women's economic security in Minnesota once again.

Task Force Recommendations

- 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.



Conclusion

The effect of the 2014 Women’s Economic Security Act was instant and deeply impactful. Among its many gains, the increase to the state’s minimum wage translated into pay raises for 147,000 women in 2016, women-owned businesses accessed \$4.4 million in expansion capital, and there was a marked increase in training and placement of women in construction and manufacturing jobs.¹⁰⁸

The Task Force aimed to build on the successes of WESA by providing an analysis of its most effective components and areas of opportunity to improve it further. The Task Force also took on the lofty challenge of identifying the many abstract systemic barriers to women’s economic security to define concrete problems that can be addressed directly. The Task Force then came up with solutions that informed 115 recommendations across distinct topics within workplace, caregiving, health, economic opportunity, and governance issues, with special attention to intersectionality and the exacerbating effects of the COVID-19 pandemic.

Still, there are areas remaining in need of further exploration. Item 3c of the Task Force bylaws called for identification of the extent of gendered-based pricing (Pink Tax) in consumer goods and services, which the Task Force did not have enough time to address. The composition of the Task Force did not reflect an ideal degree of racial, economic, and regional diversity, which will be actively sought in listening sessions across Minnesota following publication of this report. The Task Force also decided that housing issues were too complex for a brief mention within this report and require a task force effort of their own.

Indeed, the tremendous breadth of this report illustrates that all issues are women’s issues; those highlighted within this report are only some of the areas where women are experiencing a disproportionately negative impact. Minnesota offers a high quality of living for many of its residents, yet there are ample opportunities to turn it into the most prosperous and economically secure state for women. As the work of the Task Force concludes, the Office of the Minnesota Attorney General turns now to implementing many of the recommendations received to ensure that Minnesotan women are able to afford their lives and live with dignity, safety, and respect.

Task Force Members



Barbara Battiste

As former Director of the Minnesota Legislative Office on the Economic Status of Women, Ms. Battiste has advised legislators on women’s economic issues and provided ideas and background research for new legislation. Her prior professional experience includes public policy and career services work for WomenVenture, a Minnesota nonprofit that helps women become successful business owners, and legislative affairs work for the Pay Equity Coalition of Minnesota, a nonprofit dedicated to protecting Minnesota’s state and local government pay-equity laws.



Christina Ewig, Ph.D.

Dr. Ewig is Professor of Public Affairs and Faculty Director of the Center on Women, Gender, and Public Policy at the Humphrey School of Public Affairs at the University of Minnesota. As Director of the Center, Dr. Ewig works to stimulate research, teaching and public engagement on gender and its intersections with other forms of inequality. She teaches and publishes widely on social policy and its impacts on gender, race and class inequalities, with specific expertise in Latin America.



Betty Folliard

Ms. Folliard is a nationally known speaker, thought leader, political strategist, and founder of ERA Minnesota. She has worked in governance at the local, state and national level having served on the Hopkins Board of Education, as a former 3-term State Representative, and as a former Congressional Aide. She began her career as a theatre specialist; and has worked in sales, marketing, and market research. Ms. Folliard spent a decade as co-owner of a consulting company. Among her many accomplishments, she was executive producer of a feminist progressive radio talk show.



Cheniqua Johnson

Ms. Johnson is the Relationship Manager at Saint Paul & Minnesota Foundation. She has seven years of prior experience in community engagement, political organizing, and local, state and federal government. Ms. Johnson received her bachelor’s in family social science from the University of Minnesota Twin Cities as a first-generation, TRIO, college graduate and Marquette University Les Aspin Center, Keith E. Sherin Global Scholar. Ms. Johnson was born and raised in Worthington, Minnesota, where she currently resides with her family and most recently served as the Honorary City Council member.



Nancy Jost

As the Director of Early Childhood at West Central Initiative for the past 17 years, Ms. Jost is a local, regional, state, and national champion for advocating for the best possible start for children toward a healthy life of learning, achieving, and succeeding. Through those Early Childhood Initiative efforts, Ms. Jost helps lead 10 advocates, one from each county of West Central Initiative’s service area and the White Earth Nation. When the legislature is in session, Ms. Jost can be found testifying on behalf of the state’s early-childhood education and childcare efforts.



Brittany Lewis, Ph.D.

Dr. Lewis is a well-respected community engaged qualitative scholar, thought leader, author, and national speaker known for bringing those most often locked out of local decision-making processes to the action research table, for close to 10 years. Dr. Lewis is the Founder and CEO of Research in Action, an urban research, strategy, and engagement firm, and is currently a Senior Research Associate at the Center for Urban and Regional Affairs (CURA) at the University of Minnesota. Formerly, Dr. Lewis was a Minneapolis Federal Reserve Bank Scholar in Residence and Visiting Assistant Professor at Macalester College in Political Science and American Studies.



Erin Maye Quade, Co-Chair

As Advocacy Director at Gender Justice, Ms. Maye Quade works to advance gender justice through public education, legislative outreach, strategic partnerships, and coalition-building. She is a former Minnesota State Representative who served in the Minnesota House of Representatives from 2017-2019. There, she founded the Childhood Hunger Caucus -- a coalition of businesses, nonprofits and policymakers dedicated to ending childhood hunger in Minnesota – and quickly established herself as a candid and fierce advocate for Minnesotans championing paid family leave, expanding access to affordable childcare, ending childhood hunger, eliminating gun violence, and investing in treatment for mental health and substance abuse issues. Ms. Maye Quade currently serves on the board of directors of Hunger Solutions Minnesota and State Innovation Exchange (SiX).



Batala McFarlane

Ms. McFarlane is the Publisher of Insight News, where she is responsible for the overall operations of the publication. She leads a team of talented change agents who are committed to Insight’s core values and mission, which is to inform, to instruct and to inspire. Insight News is Minnesota’s most widely circulated ethnically focused newspaper, has been in publication for nearly 40 years, and is distributed widely throughout Minneapolis, Saint Paul, and surrounding suburbs.



Lulete Mola

Ms. Mola is the Co-Founder and first President of the Philanthropic Collective to Combat Anti-Blackness & Realize Racial Justice. She is committed to social change that is intersectional, centers dignity, and is led by communities most impacted. Most recently, as the Chief Strategy and Innovation Officer at the Women’s Foundation of Minnesota, Ms. Mola put this commitment to action as the lead strategist and co-visionary of community investments, field-building programming, strategic communications, and bold fundraising that enable large-scale systems change.



Kate Perushek

Ms. Perushek is an Assistant Commissioner at the Minnesota Department of Labor and Industry. She helped develop and pass the Women’s Economic Security Act (WESA) in 2014 when she was Legislative Director for the House DFL Caucus. After serving at the Minnesota House of Representatives for nine years, Assistant Commissioner Perushek was a policy advisor to Governor Mark Dayton. She has a keen interest in workplace protections for women and improving their economic security. She has her master’s degree in public policy and social work from the University of Chicago.



Minnesota State Senator David Senjem

Senator Senjem was first elected to the Minnesota State Senate in 2002 and represents portions of Dodge County and the northern and western portions of Olmsted County, including half of the city of Rochester. As an institutional biosafety officer at Mayo, where he worked for over four decades, Senator Senjem was responsible for all aspects of environmental regulatory compliance. Senator Senjem also has a long history of public service, having served on the Rochester City Council, Rochester Parks Board, Olmsted County Environmental Commission, Minnesota Emergency Response Commission, Minnesota OSHA Advisory Committee, and as vice chair of the Community and Economic Development Committee of the National League of Cities. In the State Legislature, Senator Senjem serves as chairman of the Senate Capital Investment Committee and has been elected to minority and majority leader posts.



Connie Smallman

A seasoned journey worker, Ms. Smallman is a member of International Union of Operating Engineers (IUOE) Local 49. She is also the co-founder and team-coordinator of the IUOE Local 49 Women’s Committee, the first women’s committee in the IUOE. She has represented Local 49 at the international level educating hundreds of fellow female operators on how to start their own women’s committee at a local level. Ms. Smallman is an elected delegate to the Minneapolis Building & Construction Trades Council, an active member of the National Association of Women in Construction, and the recipient Women Building Success’ 2020 Women’s Advocate of the Year and North America’s Building Trades Unions’ 2021 Tradeswomen Heroes award.



Syeda Sadia Tarannum

Ms. Tarannum is the co-founder and current Chair of the Executive Board of the NorthWest Islamic Community Center (NWICC). Under her leadership, the NWICC became the first mosque to join Beacon Interfaith Housing Collaborative, a collaborative congregation committed to a theory of change that includes housing solutions and short and long-term policy changes around homelessness. Ms. Tarannum brought Beacon’s Families Moving Forward program to the Muslim community, by helping NWICC host a group of families experiencing homelessness for a week. She is also an Executive Board Member at CAIR-MN. During the day Ms. Tarannum works as a Senior Product Manager at Surescripts.



Alene Tchourumoff

Ms. Tchourumoff is the Senior Vice President of Community Development and Engagement at the Federal Reserve Bank of Minneapolis, where she leads the Bank’s engagement with communities throughout the Ninth District to promote economic opportunity for low- and moderate-income people and those living in Indian Country. Prior to joining the Bank, Ms. Tchourumoff served as chair of Minnesota’s Metropolitan Council, where she built strong partnerships with local governments and community groups to advance transit, housing, and other critical infrastructure. Previously, she worked extensively in China and Southeast Asia on public policy and public health initiatives — including combating HIV/AIDS in China and Vietnam. Ms. Tchourumoff was named 2020 Women in Business honoree by the Minneapolis-St. Paul Business Journal.



Minnesota State Representative Samantha Vang

State Representative Vang was elected in 2018 to serve Minnesota House District 40B. Rep. Vang represents the communities of Brooklyn Park, Brooklyn Center where she lives. Rep. Vang currently serves as the Vice Chair of the Agriculture Finance and Policy Committee. Rep. Vang also serves on the Judiciary Finance and Civil Law, Public Safety and Criminal Justice Reform Finance and Policy, and Redistricting committees. She was Chair of the state’s first Minnesota Asian Pacific Caucus and champions key policy initiatives to address inequities across the state such as increasing voter accessibility at the polls, improving language access in all sectors of the government, and amplifying voices of communities that have been historically marginalized and divested.

Ex-Officio Task Force Members



Lieutenant Governor Peggy Flanagan

Peggy Flanagan is a mom, an advocate, a member of the White Earth Band of Ojibwe, and Minnesota’s 50th Lieutenant Governor. Her career is built on standing up for children, working families, communities of color and Indigenous communities, and Minnesotans who have historically been underserved and underrepresented. As a former State Representative, School Board Member, non-profit leader, and community advocate, she now brings her experiences of building coalitions and advocating for children and families to the Lieutenant Governor’s Office as she works in partnership with Governor Walz to build One Minnesota.



Commissioner Rebecca Lucero

Born and raised in Albuquerque, New Mexico, Commissioner Lucero has spent her life fighting to end racism and transform policies that lead to structural inequities. She strives to lead her life with an intersectional lens, honoring complex identities. Before her appointment as Commissioner in 2019, she worked in public policy and civil rights law, working to create a more just and joyous world. She worked at the Minnesota Council of Nonprofits, Twin Cities Habitat for Humanity, and for U.S. Congressman Keith Ellison to change the law, systems, and structures that cause institutional inequities. As an attorney, she worked as a civil rights lawyer in private practice, as an administrative law judge, and for the Legal Aid Society of Minneapolis.



Donna Cassutt, Co-Chair

Ms. Cassutt serves as Attorney General Keith Ellison’s Chief of Staff, whom she worked with in the same function during his time as U.S. Congressman. Before that, Ms. Cassutt served as executive director of Minnesotans for a Fair Economy, an alignment of faith, labor and community organizations focused on economic and racial equity, for six years. Prior to that, she served as Associate Chair of the Minnesota DFL party from 2005–2011. As Chief of Staff at the Office of the Minnesota Attorney general, she oversees the communications, outreach, government affairs, and policy work, plus the administrative side of the office.



Liz Kramer

Minnesota Solicitor General Liz Kramer oversees the appellate work of the Attorney General’s Office and defends the constitutionality of Minnesota laws. Ms. Kramer became Solicitor General in 2019, after 16 successful years at Stinson Leonard Street, where she specialized in arbitration law, appeals, and construction litigation. Minnesota Lawyer has recognized her four times as an Attorney of the Year. She is a past chair of the Appellate Section of the Minnesota State Bar Association and co-founded the Appeals Self-Help Clinic at the Judicial Center, which assists people who are representing themselves in appellate courts. Ms. Kramer is a Saint Paul native who received her J.D. from the Yale Law School and clerked at the Minnesota Supreme Court.



Melissa Raphan

Ms. Raphan is a Dorsey Partner and former Chair of Dorsey’s Labor and Employment Practice Group. While she has deep relationships with clients of all types, she has particular expertise litigating disputes and providing advice to clients in the financial services, healthcare, food and agriculture, and energy sectors. Ms. Raphan’s employment litigation practice includes class actions, collective actions, multi-plaintiff actions and single plaintiff cases nationwide in federal and state courts and agencies. She regularly handles arbitrations before the American Arbitration Association and the Financial Industry Regulatory Authority, Inc. (FINRA), where she has a history of delivering successful results. Ms. Raphan is known as a fierce advocate for diversity in the business community. Knowing that sponsorship is vital to advance the careers of women and minority attorneys, she advocates stridently on their behalf. Her awareness that diverse teams deliver the best results for clients accounts for the highly diverse teams she assembles for the matters she handles.



Emilia Gonzalez Avalos

Ms. Gonzalez Avalos is an immigrant from Mexico City, raised in Irapuato and Minnesota. Family separation, border consciousness, and transnational economies shaped her to become an immigration activist, intersectional feminist, and advocate for human rights. Ms. Gonzalez Avalos’s awards include Mano Amiga from the Latino Economic Development Center, Advocate of the Year from the Bush Foundation and CLUES, the 2017 OutFront Innovator Award, and the 2016 MLK Distinguished Service Award by Governor Mark Dayton’s Council on MLK. Ms. Gonzalez Avalos is alumna of the Humphrey Policy Fellows Program, the Roy Wilkins Community Fellows, and America Votes Emerging Leader Fellows. She also builds community with her partner Daniel and her children Joaquin, Daniel, and Miranda as members of Kalpulli Ketzalcoatlucue, a traditional Aztec dance learning community for youth and their families.



Bethany Winkels

Ms. Winkels is a staunch advocate for women, families, and working people. Currently, she serves as the Executive Director of the Minnesota AFL-CIO and on the Board of Pro-Choice Minnesota. She proudly worked on the Raise the Wage campaign and is currently active with the Minnesotans for Paid Family and Medical Leave Coalition.

**BYLAWS OF ADVISORY TASK FORCE ON EXPANDING THE ECONOMIC
SECURITY OF WOMEN**

ARTICLE I
NAME

Section 1. Name. This task force shall be known as the Advisory Task Force on Expanding the Economic Security of Women (“Task Force”).

ARTICLE II
MISSION AND PURPOSE

Section 2. Mission and Purpose. The mission and purpose of the Task Force is to (1) serve in an advisory capacity to the Attorney General; (2) carry out a retrospective review of the Women’s Economic Security Act of 2014; (3) identify the following: (a) structural, cultural, and organizational barriers that prevent gender equity in the workplace; (b) legal and regulatory barriers that limit women’s equal participation in the economy; (c) the extent of gendered-based pricing (Pink Tax) in consumer goods and services; (d) the extent intersectional impact of race, ethnicity, and gender discrimination on the ability of Black, Indigenous and Women of Color’s ability to achieve economic security; (e) the socio-economic impact of the COVID-19 pandemic on women; (4) conduct a comprehensive analysis of various strategies that have been, and could be, undertaken to advance the economic security of women; and (5) create a recommended set of priorities for the Attorney General to advance the economic security of women; makes recommendations to the legislature on possible solutions, including regulatory reform (“charge”).

ARTICLE III
DURATION

Section 3. Duration. The Task Force shall exist until dissolved by the Attorney General in accordance with these bylaws because its charge is complete, or its existence ends by operation of law, whichever is sooner.

ARTICLE IV
APPOINTMENT AND MEMBERSHIP

Section 4.1. Membership. The Task Force shall consist of 15 members appointed at the sole discretion of the Attorney General, from the following groups:

- (a) Advocate for Women
- (b) Legislators
- (c) Academic/Researcher
- (d) Minnesotans with Interest in the Topic from Greater Minnesota
- (e) Minnesotans with Interest in the Topic from the Metro Area
- (f) Minnesota Department of Labor and Industry Representatives

Section 4.2. Membership Term. Each member shall be appointed to a two-year term. Each member's appointment will terminate at the end of their two-year term, upon the charge of the task force being deemed complete by the Attorney General, or the Task Force's existence ends by operation of law, whichever is sooner.

Section 4.3. Voluntary Resignation. A member may voluntarily step down from the Task Force. Members choosing to step down before the end of their term shall give notice of their intent to step down at least 30 days prior to their last day of service, if possible.

Section 4.4. Removal. A member may be removed from the Task Force in the manner described in Minnesota Statutes section 15.059, subdivision 4.

Section 4.5. Vacancies. The Attorney General's Office staff liaison shall notify the Minnesota Secretary of State of any vacancy occurring in accordance with time periods in Minnesota Statutes section 15.0597, subdivision 4 (i.e., 45 days before expiration of a term of membership, or 15 days otherwise). All membership vacancies shall be posted and filled through the open appointment process using the Minnesota Secretary of State's website.

ARTICLE V **CO-CHAIRS AND RESPONSIBILITIES**

Section 5.1. Co-Chairs. The task force shall have two co-chairs, one appointed by the Attorney General and one elected by members. The co-chairs shall each serve one-year terms. They shall be eligible for re-appointment and re-election at the end of their term. The election of a co-chair will occur at the first meeting of the Task Force.

Section 5.2. Co-Chair Responsibilities. The general responsibility of the co-chairs is to manage the activities of the members of the Task Force for the purpose of achieving its charge, as specified under Section 2, and to act for the Task Force as the liaison with staff for the Attorney General's Office.

Additional co-chair responsibilities include, but are not limited to, the following:

- (a) Manage attendance in accordance with the guidelines set forth in Article VIII.
- (b) Ensure each meeting ends with a clear set of action items and next steps to be accomplished.
- (c) Create and assign members to Task Force subcommittees, as needed (agenda and minutes are the responsibility of the committee members).

Section 5.3. Co-Chair Authority. The co-chairs shall have all such powers that are consistent with and necessary to ensure the success of the charge of the Task Force, provided that the co-chairs shall not incur or approve expenditures on behalf of the Attorney General's Office without approval from the staff liaison from the Attorney General's Office, establish an activity not explicitly within the Task Force's charge, or act contrary to any applicable Minnesota law. Whenever a question arises as to co-chair or Task Force authority or

responsibility, the co-chairs shall consult with the staff liaison for the Attorney General’s Office prior to acting.

ARTICLE VI
WORK GROUPS AND SUBCOMMITTEES

Section 6. Work Groups. The Task Force may establish temporary work groups and subcommittees as necessary for special purposes. This bylaw may be amended by the Task Force in its first meeting, if work groups or subcommittees are created.

ARTICLE VII
ATTORNEY GENERAL SUPPORT OF TASK FORCE

Section 7. Attorney General Support. The Task Force shall be supported by appropriate staff from the Attorney General’s Office. The Task Force will have one person assigned as a primary liaison from the Attorney General Office (“AGO Liaison”). The AGO Liaison will invite other Attorney General staff to support the Task Force, as needed. While staff from the Attorney General’s Office will support the Task Force and may participate in the meetings, they will not have any decision making authority over or on behalf of the Task Force.

The AGO Liaison will work in conjunction with the co-chairs to create agendas, record minutes, coordinate meetings, and ensure the Task Force is consistently making progress in accomplishing its charge in a timely manner. Additionally, the AGO Liaison may support the Task Force by providing requested documents and materials, arranging communications and meetings with outside organizations or individuals, preparing reports, and other logistical and administrative support.

Additional AGO Liaison responsibilities include, but are not limited to, the following:

- (a) Ensure that the Minnesota Secretary of State is provided with the information required by Minnesota Statutes section 15.0597, subdivision 2.
- (b) Ensure the Task Force properly maintains its registration with the Minnesota Secretary of State by submitting by July 15 each year the information required by Minnesota Statutes section 15.0599, subdivision 3.
- (c) At least one week prior to each Task Force meeting, develop and provide the agenda and other materials to members.
- (d) Prepare meeting minutes and follow-up after each meeting with an email summary to all members describing the action items and next steps.

ARTICLE VIII
VIRTUAL MEETINGS, CONDUCTING BUSINESS, AND PUBLIC TESTIMONY

Section 8.1. Virtual Meetings. In response to the COVID-19 pandemic, Task Force meetings shall be conducted virtually, using Zoom as the main teleconferencing platform.

Section 8.1. Virtual Attendance. Members shall virtually attend all meetings either via video or phone conferencing. Members who know beforehand that they will be unable to attend a scheduled meeting should notify the co-chairs and the AGO Liaison in advance.

Section 8.2. Proxies. If the member is unable to attend the scheduled meeting, members may designate a person to attend a meeting as the member's proxy by notifying the co-chairs of the identity of the person who will act as the member's proxy prior to the meeting. The proxy may not be a different member of the Task Force.

Section 8.3. Quorum. The Task Force may only take official action and conduct official business when a quorum is in attendance at a meeting. 10 of the 15 members of the Task Force constitute a quorum. The Task Force shall not conduct any business that requires a vote or action if a quorum is not present at the meeting and any such vote or action should be postponed until the next scheduled meeting at which a quorum is established. Ex officio members shall not be counted when determining if a quorum is present at a meeting.

Section 8.4. Conducting Business. The Task Force may take official action and conduct official business by a simple majority vote of the members attending the meeting.

Section 8.5. Schedule. The Task Force shall meet at least once a month in the evening, for at least 90-minutes. The Task Force may vote to increase the frequency and length of the meetings at its first or any subsequent meeting. In its first meeting, the Task Force shall decide and vote on a meeting schedule for the forthcoming six month period.

Section 8.6. Location. In the event that during the course of this Task Force, the Center for Disease Control and the Minnesota Department of Health deem in-person meetings as safe, the Task Force may choose to switch to in-person meetings. Meetings shall be held in public locations in the Twin Cities metropolitan area. Meeting locations must have nearby accessible parking, be easily reachable by public transportation, and be accessible to persons with disabilities. The AGO Liaison will assist in room reservation.

Section 8.7. Notice to Attorney General. If the Task Force creates work groups or subcommittees, they shall set their own meeting schedule and notify the co-chairs and the AGO Liaison of the date and time of all meetings as soon as practicable after a meeting is scheduled.

Section 8.8. Official Actions. Only the Task Force may take official action and conduct official business in the name of the Task Force. Any actions taken by subcommittees, work groups, or staff of the Minnesota Attorney General's Office shall not be considered official action taken or official business conducted by the Task Force until confirmed by the Task Force.

Section 8.9. Open Meeting Law. The Task Force acknowledges that Minnesota’s Open Meeting Law, Minn. Stat. ch. 13D, requires the Task Force to create a schedule for regular meetings and make that schedule available to the public; that the law gives the public the right to attend Task Force meetings to watch and listen to the proceedings; and that the law also requires the Attorney General’s Office to keep meeting minutes of all the activities of the Task Force. The Task Force further acknowledges that all materials given to members must also be made available to the public during the meeting, and that a “meeting” as contemplated by the law means when a quorum or more of a governmental body is gathered in person or via electronic devices, regardless of what action is taken or contemplated. The Task Force agrees to and shall abide by the Open Meeting Law.

Section 8.10. Virtual Public Testimony. The co-chairs of the Task Force shall designate as the final agenda item for each meeting some time for testimony by public attendees who wish to testify before the Task Force. The designated time shall be decided the day of the meeting based on the number of testifiers present, but shall not exceed 30 minutes. The AGO Liaison will provide an electronic sign in sheet to record public attendance and number of testifiers. Each member of the public who provides testimony to the Task Force shall introduce themselves for the record and shall be limited to 3 minutes to speak.

The co-chairs shall coordinate with staff of the Minnesota Attorney General’s Office to invite guest testifiers and outside organizations that can provide expert input, who may testify to the Task Force for a time left to the discretion of the co-chairs.

ARTICLE IXI **COMPENSATION, BYLAW AMENDMENTS, REPORTS, AND DISSOLUTION**

Section 9.1. Compensation. In accordance with Minnesota Statutes section 15.014, members shall not be compensated for their services to the Task Force.

Section 9.2. Amendments. Members of the Task Force may amend these bylaws by a 2/3’s majority vote of all members of the Task Force at a regular meeting. Any amendment to these bylaws shall take immediate effect.

Section 9.3. Reports. The Task Force shall submit to the Attorney General a final, comprehensive report of all its findings and recommendations before the start of the 2022 state legislative session. Additionally, summary reports concerning the progress the Task Force has made towards achieving its charge shall be submitted to the Attorney General on a quarterly basis.

Section 9.4. Dissolution. The Task Force shall be dissolved by the Attorney General upon submission of its final report. At the time of dissolution, all remaining documents, records, equipment and supplies belonging to the Task Force shall be transferred to the Attorney General’s Office.

Endnotes

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