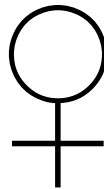


# N | W O M E N C | U N I T E D

## Draft Women's Agenda 2014 - 2015



Adolescent Pregnancy Prevention Coalition of NC • American Association of University Women NC • Carolina Abortion Fund • Democracy North Carolina • Equal Rights Amendment NC Citizens Task Force • Equality NC • General Federation of Women's Clubs of NC • Greensboro Commission on the Status of Women • Ipas • League of Women Voters of NC • Mecklenburg County Community Support Services, Women's Commission Division • NARAL Pro-Choice NC Foundation • National Association of Social Workers - NC Chapter • NC Association of Women Attorneys • NC Business and Professional Women Foundation • NC Coalition Against Domestic Violence • NC Coalition Against Sexual Assault • NC Justice Center • NC Moms Rising • NC National Organization for Women • NC4ERA • Planned Parenthood Health Systems • Planned Parenthood of Central North Carolina • Ratify ERA-NC • Time4Change NC • Triangle Older Women's League • Women AdvanCe • Women for Women – A Giving Circle • Women's International League for Peace and Freedom – Triangle Chapter • Women's Forum of North Carolina • WomenNC - NC Committee for CSW/CEDAW • YWCA of Asheville and Western NC • and our Individual Supporters

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## **AN OVERVIEW OF NCWU AND THE AGENDA ASSEMBLIES**

The agenda assemblies are organized locally, with NCWU monitoring and assistance, and take place every other year in the fall/winter season before the NC General Assembly's (NCGA) Long Session. At the assemblies, women from all corners of the community have an opportunity to express and share their views, prioritize their issues and ultimately have their voices and community interests heard on the public policy issues affecting women's lives. From helping out at their children's schools to managing family finances to arranging unexpected child care; from planning their families to supporting friends who are leaving abusive relationships to the experience of discrimination in various facets of their daily lives—women are the experts in their own lives, and their personal experiences can powerfully inform the policy process. We hope that these assemblies can be a catalyst for women to translate what they experience in their lives into positive change that benefits all women of North Carolina.

The local assemblies provide an excellent opportunity for training and education of women, with the hope of inspiring greater group lobbying of local legislators during NCWU Women's Advocacy Day at the Legislative Building the following year, and of individual lobbying throughout the Long Session. This is an exciting contribution to the democratic process, and we welcome you to it and thank you for your participation. These events will undoubtedly provide greater empowerment of the women in your community and across the state of North Carolina.

## **WHAT IS THE DRAFT WOMEN'S AGENDA?**

The Draft Women's Agenda is a resource book prepared for the agenda assemblies on issues of relevance this year, contributed by member organizations of NCWU. It is designed to be used by participants in the assemblies as an introduction to some of the issues of concern to women, divided among four broad categories: Access to Healthcare; Civic Participation and Equality; Violence Against Women; and Economic Self-Sufficiency.

Although each local community's priorities and concerns will be unique, the Draft Agenda may help spark discussion during the assembly activities, particularly the small group sessions. The categories are broad and many issues could fall within more than one category. The issue papers are representative of the concerns, hard work, and evidence collected by member organizations, but by no means represent the only views or voices on these issues, or the only issues that matter to North Carolina women.

However, this diversity of concern and interest is what makes the Women's Agenda Assemblies so dynamic and relevant, empowering women not only on a larger political level but directly within their home communities, reflecting the real lives and the real voices of women. When we do not see eye-to-eye on an issue—whether we don't agree on where the issue lands on our priority list, or we don't agree on the best solution—we hope that our collective commitment to our movement means we can engage with each other on these disagreements in meaningful and productive ways. Challenging ourselves to address any of our own misunderstandings and personal biases, deepening our empathy for what other women are experiencing, and strengthening our belief that we can't achieve equality for any of us until we achieve equality for all us, are the processes that we hope grow out of these assemblies.

Because we know that when women's organizations and individuals do agree and work together, our collective voices are powerful, and we become the force for change in our society.

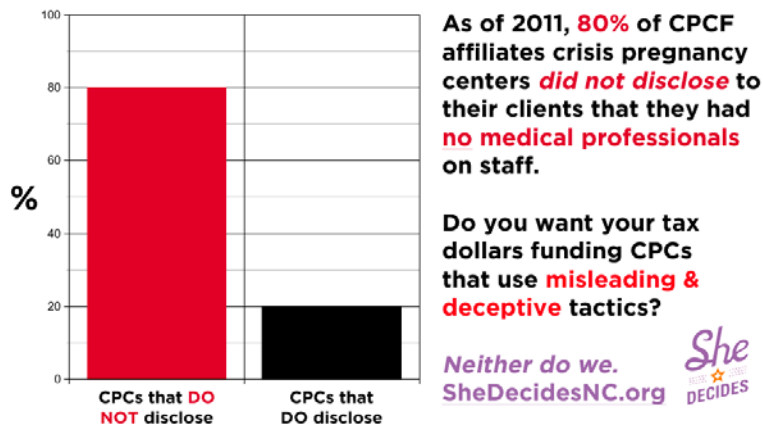
# Access to Health Care

## ♀ Women Deserve the Truth: Exposing Crisis Pregnancy Centers (CPCs) & Ending their Deceptive Practices

By NARAL Pro-Choice North Carolina | [www.ProChoiceNC.org](http://www.ProChoiceNC.org)

### What is a Crisis Pregnancy Center?

Crisis Pregnancy Centers are “pregnancy support” centers whose goals are to block women from making fully informed choices about their reproductive options. CPCs routinely engage in deceptive practices to misinform women about abortion and contraceptive care.



NARAL Pro-Choice North Carolina Foundation published an investigative report about North Carolina CPCs in 2011. Below are some of our key findings:

- North Carolina has eight times as many Crisis Pregnancy Centers as abortion care providers.
- Many CPCs receive funding from explicitly anti-choice organizations like The Carolina Pregnancy Care Fellowship and now they also receive \$300,000 in taxpayer funding from the State of North Carolina.
- CPCs target college-age women and women of color. Every University campus in the state has at least one CPC located within 24 miles. CPCs spread misinformation and medical inaccuracies about abortion. 26% stated falsely that abortion leads to breast cancer.
- CPCs incorrectly tell women that birth control is ineffective. 48% of women seeking family planning services were told that none of the common methods of birth control are effective at preventing pregnancy.

### Recommendations for Action:

Instead of funding comprehensive maternal and child health programs, lawmakers recently voted to support Carolina Pregnancy Care Fellowship, an umbrella organization that supports more than half of NC’s CPCs. In 2015 and beyond, NARAL Pro-Choice NC will work to repeal this funding and protect North Carolinians from these deceptive and dangerous practices. We will continue our work with lawmakers at the NC General Assembly to advocate for increased accountability and transparency by these organizations.

### **Recommendations for Action:**

We encourage women's health and rights advocates to join us in asking NC lawmakers to:

- Require honest advertising and promotion that begins with disclosing the anti-choice bias of CPCs;
- Ensure that CPCs not employing trained medical or counseling staff make it clear that clients will be seen by untrained staff/volunteers;
- Guarantee that all advice and counsel being dispensed is medically sound and factually accurate; and
- Require that CPCs keep client confidentiality as is required by medical and counseling clinics.

To learn more about CPCs in North Carolina and to read NARAL Pro-Choice North Carolina Foundation's full report, please visit our website at [www.ProChoiceNC.org](http://www.ProChoiceNC.org).

### ♀ **Protect NC Women's Access to Basic Health Care without Employer Interference**

By Lauren Finn, intern, Planned Parenthood of Central NC | [www.plannedparenthood.org/planned-parenthood-central-north-carolina](http://www.plannedparenthood.org/planned-parenthood-central-north-carolina); submitted jointly with NARAL Pro-Choice NC | [www.prochoicenc.org](http://www.prochoicenc.org)

It is unbelievable that in 2014 we are still debating whether women should have access to birth control coverage. Under the Affordable Care Act (ACA), 47 million women should have guaranteed access to no-copay birth control.<sup>1</sup> However, the recent *Hobby Lobby* U.S. Supreme Court decision threatens the strides our nation is making toward ensuring access to basic healthcare for women by restricting contraceptive coverage.

The ACA guarantees preventive health care services will be covered by all health insurance plans with no cost-sharing for the patient. For women, this includes well-woman exams, Pap tests, breast exams, and birth control, among other basic services. It is troubling that, following the *Hobby Lobby* decision, bosses of for-profit companies will be able to deny their employees' access to birth control through their health insurance plans. The Obama Administration previously exempted religious institutions from the birth control coverage requirement.

Birth control is basic and essential health care for women and families. The typical American woman spends more than three-quarters of her reproductive life trying to avoid pregnancy. This is why it is no surprise that 99% of sexually active American women will use some form of birth control in her lifetime.<sup>2</sup> Further, the monthly cost of birth control co-pays can run upwards of \$50 and some of the most reliable methods available, such as an IUD, can cost roughly a month's pay for a woman working full-time making minimum wage.<sup>3</sup>

Not only does this decision place an undue financial burden on women and families, but the fact that employers are claiming a right to have involvement in women's most private healthcare decisions is appalling. Bosses should have no say in a woman's family planning decisions or her access to medication

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<sup>1</sup> Simmons, A. & Scopel, L. (2012). ASPE Research brief. Retrieved from: <http://aspe.hhs.gov/health/reports/2012/womensPreventiveServicesACA/ib.pdf>

<sup>2</sup> [http://plannedparenthoodaction.org/files/9213/8507/0429/PPFA\\_WhitePaper\\_FINAL.pdf](http://plannedparenthoodaction.org/files/9213/8507/0429/PPFA_WhitePaper_FINAL.pdf)

<sup>3</sup> See *Burwell v. Hobby Lobby*, 573 U.S. (2014) (Ginsburg, J. dissenting). Retrieved from: [http://www.supremecourt.gov/opinions/13pdf/13-354\\_olp1.pdf](http://www.supremecourt.gov/opinions/13pdf/13-354_olp1.pdf)

that helps control certain medical conditions. The policing of women's sexuality under the guise of religious freedom must stop.

In the wake of this decision it is difficult to estimate how many employees in North Carolina will be affected. The *Hobby Lobby* decision opens the door to the bosses of any closely-held corporation objecting to the inclusion of birth control coverage in their employee health insurance plans. The *Hobby Lobby* decision also creates a dangerous slippery slope, in which employers would have the right to deny medical coverage for their employees based on their own personal and religious objections for any number of health care services, from in-vitro fertilization to vaccinations.<sup>4</sup> This decision not only sets the stage for further harm to women's basic rights and health, but may be deleterious to comprehensive healthcare for all Americans.

Fortunately, there are legislative options to address the damage done in the Hobby Lobby decision. We call upon the North Carolina General Assembly to pass pro-active legislation that guarantees access to reproductive health care services without employer interference.

### ***Recommendations for Action:***

- Pass legislation that protects women's access to comprehensive reproductive health care services, including birth control, regardless of the personal views of their employers.

### ♀ **“Personhood” Measures: Far-Reaching Effects Threaten Women's Health**

By Lauren Finn, intern, Planned Parenthood of Central NC | [www.plannedparenthood.org/planned-parenthood-central-north-carolina](http://www.plannedparenthood.org/planned-parenthood-central-north-carolina)

An alarming trend has emerged in recent years in states across the country and threatens women's access to critical health care services. “Personhood” measures have taken the form of ballot initiatives and stand-alone legislation depending on the state, but consistently make the assertion that life begins at conception.<sup>5</sup> The aim of proponents is ultimately to amend the state's constitution with this or similar language and, in doing so, fundamentally outlaw all forms of safe and legal abortion. These measures defy medical science, which clearly defines pregnancy as beginning at the time of implantation, not fertilization, and present a slippery slope of government intervention into women's personal pregnancy decisions.

Personhood measures purport that any fertilized egg, embryo or fetus is a person and therefore is entitled to constitutional rights. These rights would be no different than those of the pregnant woman. In addition to recriminalizing safe and legal abortion, personhood measures threaten to ban common forms of birth control, such as the IUD, and have devastating implications for fertility treatments such as in-vitro fertilization. Further, these efforts have failed to make exceptions for medically necessary abortions when a much wanted pregnancy goes tragically wrong, when the life of the woman is at risk, or in cases of rape or incest<sup>6</sup>.

When put to a vote, voters of all political affiliations across the nation have rejected these efforts that threaten women's health in their states. Personhood ballot initiatives have been introduced and

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<sup>5</sup>Solinger, R. (2013) *Reproductive politics: What everyone needs to know*. New York: Oxford University Press.

<sup>6</sup> Kleinfeld, E. (2011). Mississippi votes down amendment to define personhood at fertilization. Retrieved from: <http://talkingpointsmemo.com/muckraker/mississippi-votes-down-amendment-to-define-personhood-at-fertilization>

subsequently defeated in Mississippi, Colorado, and North Dakota. In Colorado and North Dakota, two states where it is relatively easy to place such measures on the ballot, voters will be asked on their November 2014 ballots to again vote whether the state should consider a fertilized egg a person.<sup>7</sup> This despite the fact that Colorado voters have resoundingly defeated personhood ballot initiatives two times prior.

It is apparent that lack of voter support, even in states as conservative as Mississippi, does not deter those who oppose a woman's right to make deeply personal pregnancy decisions from their extreme agenda. If passed, the Colorado measure would add "crimes against the unborn" to state legislative code, a prime example of personhood initiatives being used to criminalize pregnancy and to police the actions of pregnant women.<sup>8</sup>

These harmful legislative efforts pose a significant public health threat and would cause harmful government intervention into women's most deeply personal health decisions. Given the recent trend of personhood legislation and ballot initiatives nationwide, and the bills pushed by anti-women's health legislators in the N.C. General Assembly in 2013, it is feasible that personhood legislation could be proposed in North Carolina's upcoming legislative sessions.

### ***Recommendations for Action:***

- Develop and support policies that are grounded in empirical evidence that will actively advance the health, autonomy, and dignity of pregnant women in North Carolina.
- Oppose any personhood legislation introduced in the General Assembly or proposed ballot initiatives.

## ♀ **Targeted Regulation of Abortion Providers (TRAP) Laws**

By NARAL Pro-Choice NC | [www.prochoicenc.org](http://www.prochoicenc.org)

Twenty-five states, including North Carolina, now have laws or policies that regulate abortion care well beyond what is necessary to ensure patients' safety.<sup>9</sup> These laws are commonly referred to as targeted regulation of abortion providers (or TRAP), and create sweeping and egregious restrictions on access to abortion care. Unable to ban abortion care outright, anti-choice lawmakers are trying to shut the doors of every women's health center in our state by imposing burdensome and medically unnecessary requirements on clinics that offer abortion care.

### **What is the Motorcycle Safety (aka Motorcycle Vagina) Law?**

The Motorcycle Safety Act is a law that was passed by the anti-choice majority in the NC General Assembly and signed into law by Governor McCrory in July 2013. The law creates sweeping and egregious restrictions on access to comprehensive reproductive healthcare. The law requires the Department of Health and Human Services to create new regulations that single out the health care

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<sup>7</sup> Boonstra, H., & Nash, E. (2014). A surge of state abortion restrictions puts providers-and the women they serve- in the crosshairs. Guttmacher Policy Review, 17 (1), retrieved from: <http://www.guttmacher.org/pubs/gpr/17/1/gpr170109.html>

<sup>8</sup>Wilson, W. (2014). In colorado personhood backers try a new tact. Retrieved from: <http://www.washingtonpost.com/blogs/govbeat/wp/2014/08/26/in-colorado-personhood-backers-try-a-new-tack/>

<sup>9</sup> Guttmacher Institute, State Policies in Brief (2014) (Available at <http://www.guttmacher.org>)

professionals who provide abortion care, and their patients, for arbitrary and potentially devastatingly burdensome restrictions. This law has nothing to do with the safe delivery of services for women and everything to do with denying women access to reproductive health care. Now the Department of Health and Human Services is in the process of creating those regulations.

### **What's at stake for North Carolina women and families?**

Although this law was backed by extreme lawmakers who want to shut down abortion clinics and prevent women from accessing reproductive health care, the law is now in the hands of officials at the Department of Health and Human Services, who must create regulations based on sound science and medicine that help ensure access to care rather than prevent it. If arbitrary and political regulations are created, women's health facilities could be forced to install specialized sink handles, additional drinking fountains, and covered entryways. These frivolous requirements are unnecessary and are completely unrelated to protecting women's health.

Instead of increasing health and safety, these new restrictions could make safe and legal abortion care more difficult to obtain for women and families. The laws we are seeing in North Carolina are part of an alarming national trend of eroding access to safe and legal reproductive health-care. If anti-choice politicians get their way, the rules will close abortion clinics across NC. NARAL Pro-Choice NC Foundation is working with providers and activists to stop them from succeeding and to keep abortion care safe and legal for all North Carolinians.

### **Know the Facts about TRAP**

- *Abortion is incredibly safe.* Abortion is one of the safest and most common medical procedures in the United States. In fact, abortion has over a 99% safety record, and studies, including those from the Centers for Disease Control and Prevention, show women experience complications less than 1% of the time.
- *North Carolina medical experts agree that lawmakers should stop playing politics with women's health.* The North Carolina Obstetrical and Gynecological Society and the North Carolina Section of the American Congress of Obstetricians and Gynecologists have publicly denounced the new law, and the granting of rule-making authority to DHHS, calling on politicians to “get out of their exam rooms.”
- *Women's health care centers are gateways to well-woman care.* Women's health centers offer a wide range of essential women's health services, including cancer screenings, annual check-ups for reproductive health, and pap smears. First-trimester abortion care is only a small portion of the reproductive health care offered at women's health care centers, but TRAP regulations impact their ability to provide care to all patients—thousands of NC women—not just those seeking abortion care.

### **Recommendations for Action:**

- Advocate DHHS officials to base their clinic regulations on sound science and medical information that enhances the health and safety of women accessing the clinics, rather than on political ideology.
- Oppose any legislation that puts further restrictions on women's ability to access the full range of reproductive health care services.



## ♀ Medicaid Expansion

By the NC Justice Center | [www.ncjustice.org](http://www.ncjustice.org)

**NORTH CAROLINA, ALONG WITH EVERY OTHER STATE**, has an unprecedented opportunity to expand health coverage to its most vulnerable residents. The federal government will fund more than 90 percent of this health insurance expansion. This is a good deal for the state, which is why a majority of states have chosen to expand insurance to their citizens.

So far, legislators in North Carolina, along with the Governor, have blocked these federal funds from expanding access to health care, boosting the state's economy, and bolstering rural hospitals.

Using Medicaid funds to expand insurance in North Carolina would cover about 500,000 low-income people in the state. More than 300,000 of these people have no other insurance options available to them.

Expanding insurance coverage would: Create approximately 25,000 new jobs by 2016; bring more than \$2 billion in federal funds to the state every year; and save the state \$65.4 million over the next 8 years.<sup>10</sup>

Refusing to expand coverage will exacerbate serious health conditions. Refusing federal funds to insure more North Carolinians means: 27,044 diabetics not getting needed medications; 40,000 women not getting recommended preventive screenings; 14,776 more families receiving catastrophic medical bills; and more than 1,000 unnecessary deaths annually.<sup>11</sup>

Expanding insurance in North Carolina would benefit more than 23,000 uninsured veterans and their spouses.<sup>12</sup>

A majority of people who would benefit from expanded insurance in our state are working adults. Approximately 59,000 North Carolinians who are in the Medicaid gap work in construction; 56,000 work in food service; and 46,000 work in sales.<sup>13</sup>

By expanding insurance coverage the state could make great strides in reducing infant mortality rates. Currently, women without children do not qualify for Medicaid. They qualify for insurance coverage only after becoming pregnant. This means that expectant mothers often have untreated medical conditions, which leads to high-risk pregnancies.<sup>14</sup>

Refusing to expand insurance coverage is putting significant strain on hospitals, especially in rural areas. In Georgia four hospitals have closed due to that state's refusal to expand Medicaid.<sup>15</sup> In Virginia, one hospital has closed.<sup>16</sup> In North Carolina many hospitals are on life support, including Pungo District Hospital in Belhaven.<sup>17</sup>

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<sup>10</sup> <http://www.nciom.org/wp-content/uploads/2013/01/Medicaid-summary-FINAL.pdf>

<sup>11</sup> <http://healthaffairs.org/blog/2014/01/30/opting-out-of-medicare-expansion-the-health-and-financial-impacts/>

<sup>12</sup> <http://www.urban.org/uploadedpdf/412775-Uninsured-Veterans-and-Family-Members.pdf>

<sup>13</sup> [http://familiesusa.org/sites/default/files/product\\_documents/MCD\\_North%20Carolina%20Medicaid%20gap%20and%20employment\\_final\\_web.pdf](http://familiesusa.org/sites/default/files/product_documents/MCD_North%20Carolina%20Medicaid%20gap%20and%20employment_final_web.pdf)

<sup>14</sup> <http://www.northcarolinahealthnews.org/2013/10/25/medicaid-expansion-would-improve-birth-outcomes-report-says/>

<sup>15</sup> <http://www.albanyherald.com/news/2014/feb/15/another-rural-hospital-closed/>

<sup>16</sup> <http://www.timesnews.net/article/9067290/wellmont-closing-lee-regional-medical->

<sup>17</sup> <http://www.npr.org/blogs/health/2014/08/01/336907606/a-conservative-mayor-fights-to-expand-medicare-in-north-carolina>

There are many conservative states moving to expand Medicaid including: Arizona, Arkansas, North Dakota, Iowa, Indiana, Kentucky, Michigan, Ohio, West Virginia, and Pennsylvania.<sup>18</sup>

Several local governments have urged state leaders to end the Medicaid blockade including: the City of Durham, City of Greensboro, City of Winston-Salem, Mecklenburg County, Orange County, and the Town of Chapel Hill.

### ***Recommendations for Action:***

- Accept new federal Medicaid funds to expand insurance coverage to low-income North Carolinians.
- Consider Medicaid waiver options to expand coverage to low-income North Carolinians using private health insurance.

## ♀ **Toxic Chemical Regulation Reform**

By Beth Messersmith, NC MomsRising | [www.momsrising.org/page/moms/nc/main](http://www.momsrising.org/page/moms/nc/main)

**Toxic Chemicals are Widespread, Harmful, and Largely Unregulated**—There’s no denying that the environment impacts us all—women, men, and children. But environmental dangers impact women in disproportionate and significant ways.

One of the most pervasive environmental threats is that posed by toxic chemicals. Infertility, early puberty, breast and childhood cancers, asthma, abnormalities in brain development, ADHD and other learning and behavioral disorders have all increased in the United States in recent years. More and more evidence implicates that some of these increases are linked to our constant exposure to toxic chemicals in the air we breathe, the water we drink, and in the everyday products we bring into our homes.<sup>19</sup>

Between 80,000 and 85,000 chemicals are currently in use in the US, but only about 200 of these chemicals have been tested for safety. Most of those that have been tested have only been evaluated for their impact on men in industrial settings. As a result, very little is known about chemical exposure routes and health impacts on women and especially on pregnant women, girls, women of color, and women of reproductive age.

**How Toxic Chemicals Harm Women and our Children**—As Women’s Voices for the Earth points out, women carry the impacts of toxic chemical exposure differently than men. Many chemicals accumulate in fat, and women generally have a higher percentage of fat tissue than men. For example, in 2003, the Centers for Disease Control and Prevention (CDC) reported that women had significantly higher levels of 10 of the 116 toxic chemicals they tested. Three of the 10 chemicals were phthalates – a group of chemicals found commonly in health and beauty products that are linked to birth defects. Women of color bear a greater burden of chronic diseases that have been linked with exposure to toxic chemicals including autoimmune diseases, premature birth, and breast cancer.

Women interact with certain products, such as personal care products and cleaning products, at higher levels and in different ways than men, thus increasing our exposure. These small daily exposures can

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<sup>18</sup> <http://www.advisory.com/daily-briefing/resources/primers/medicaidmap>

<sup>19</sup> The data included in this policy paper comes from <http://www.saferchemicals.org/>.

lead to chemicals building up in women's bodies, which add up over a lifetime of use. In addition, women, and particularly women of color, tend to dominate in certain professions that place them at high risk for chemical exposure. Housekeepers and nail salon workers are exposed on a daily basis to chemicals noted for causing health problems.

Pregnant and nursing women and children are particularly vulnerable to the impact of toxic chemicals, which pass through the placenta and through breast milk, posing risks for both mother and child. A 2005 study by the Environmental Working Group revealed that at least 287 hazardous industrial chemicals pass through the placenta to the fetus. These chemicals also pass into breast milk. While breastfeeding remains the best option for building infant immunity, these chemicals pose threats to developing children. Children are also at risk of exposure from toxics contained in toys and food packaging, including baby food, nursery furniture, nursing pillows, and car seats. These chemicals have been linked to learning disabilities, childhood cancers, and early onset puberty.

**Reform is Possible**-Safer options exist for use in everyday products, but US manufacturers are not required to use them. In fact, current law doesn't even require manufacturers to disclose what chemicals their products contain—making it impossible for consumers to choose safer options.

According to the Centers for Disease Control and Prevention, we all have some levels of these chemicals in our bodies. No matter how hard we try to avoid them, potentially harmful exposures will remain unless we change policy to require safer chemical production and tighter regulation of what goes into our air, water and consumer products.

Women's voices are powerful on these issues. We are the primary consumer decision makers in 85% of all United States households, making us a very powerful consumer group that can persuade corporations to change their ways. We are also the primary health care decision makers in most of our families, so we know first-hand the importance of preventing long-term health impacts on our families.

North Carolina is particularly important for reform because our state is home to large numbers of chemical manufacturers as well as downstream users like the furniture industry.

**Protecting North Carolinians from Toxic Chemicals**-Our voices are powerful, but nothing will change unless we use them to speak out for a safer environment for us all and raise them in discussions with lawmakers considering changes to the laws that regulate chemicals.

***Recommendations for Action:***

- Pass state and federal toxic chemical reform regulation that establishes clear protections for children, pregnant women, and hotspot communities heavily affected by pollution and toxic chemicals; allows states to progress on toxics and support their right to be more protective than federal standards; lays the burden of proof for chemical safety on manufacturers rather than the public; empowers the EPA and NC DENR to move quickly on the worst chemicals, including bans and phase outs if necessary; and establishes timetables and deadlines to provide guidance and incentives for making quick and thoughtful progress to protect public health from dangerous chemicals.
- Pass the NC Toxic Free Kids Act, which would require manufacturers to phase out the use of three toxic chemicals in children's products (BPA, phthalates, and Tris flame retardants) and ensure that all manufacturers that use priority chemicals in children's products disclose the presence of these chemicals.

# Civic Participation and Equality

## ♀ Fulfilling the Freedom to Work in North Carolina

By Equality NC | [www.equalitync.org](http://www.equalitync.org)

The basic American bargain is that people who work hard and meet their responsibilities should be able to get ahead. This basic bargain is not just an idea—it is embedded in laws that promote equal access to jobs and that protect workers from unfair practices.

For North Carolina workers who are lesbian, gay, bisexual and transgender (LGBT), this bargain is broken. Instead of having a fair chance to get ahead, LGBT workers and their families are often held back by bias, fewer workplace benefits, and higher taxes.

Employers who value diversity and who understand that it gives them a competitive advantage can take some steps to ease the burden of unfair treatment of gay and transgender workers and their families, but they can't fix the broken bargain on their own. The reason: unequal treatment of LGBT workers under the law.

First, no federal law provides explicit nondiscrimination protections for LGBT workers, and 29 states, including North Carolina, have no statewide laws that protect workers based on sexual orientation and/or gender identity/expression. Second, LGBT workers may do the same job as their coworkers, yet be denied equal access to worker and family benefits—as well as family tax relief.

The combination of job discrimination, fewer benefits and higher taxes leaves many LGBT workers in a vulnerable position that threatens their ability to provide for themselves and their families. In short, for hundreds of thousands of LGBT North Carolinians, the freedom to work is unfulfilled.

### ***Discrimination without legal protections makes it harder to find and keep a good job***

**Barrier #1: Bias and Discrimination in Recruitment and Hiring.** North Carolina's LGBT workers can put their job prospects at risk if they disclose that they are gay or transgender while looking for work.

**Barrier #2: On-the-Job Inequality and Unfairness.** An LGBT employee may be in a workplace that is blatantly hostile, one that condones anti-gay or transgender jokes and slurs, and/or one where employers look the other way and allow a discriminatory climate to flourish.

**Barrier #3: Wage Gaps and Penalties.** In addition to job and workplace discrimination, LGBT employees face wage disparities that make it harder for them to provide for themselves and their families.

**Barrier #4: A Lack of Legal Protections.** Only 21 states and the District of Columbia have laws prohibiting discrimination in employment based on sexual orientation. Transgender workers facing workplace discrimination may seek federal legal recourse by filing a complaint with the Equal Employment Opportunity Commission (EEOC), but only 16 states and the District of Columbia explicitly prohibit discrimination based on gender identity/expression.

### ***Recommendations for Action***

- A legislative update of current employment non-discrimination policies protecting state employees and teachers that includes enumerated categories for gay (“sexual orientation”) and transgender (“gender identity”) workers.
- Pending a national resolution on the issue of the freedom to marry, executive action that encourages an amendment to current state tax policies that allow joint, family tax benefits for North Carolina's same-sex couples legally married in other states.

## ♀ Fair Representation and Voter Rights

By Democracy North Carolina | [www.democracy-nc.org](http://www.democracy-nc.org)

Political decisions affect every aspect of a woman's life. And when women are the policy makers, the policy outcomes are better for everyone – women, children, families, workers, students, retirees, the unemployed and the pushed aside.

But here's the harsh reality: Women are 54% of the registered voters in North Carolina, but they are vastly underrepresented in positions of political leadership.

- **Redistricting.** The political district maps drawn in 2011 by the NC General Assembly made this disparity even worse. Many women elected to the legislature were placed in districts with other women colleagues. As a consequence, women are only 21% of the members of the General Assembly and 13% of the majority party's leadership team of 15.
- **Voters versus Money.** The far-reaching rewrite of election law in 2013 by the NC General Assembly increases the ways wealthy donors can influence elections, while making voting harder. Women – especially women of color and younger women – used Same-Day Registration and out-of-precinct voting on Election Day at higher rates than men, but these back-up provisions to protect voting rights have been repealed. Women are also 64% of the voters who don't have a NC driver's license or identity card, so they'll be especially affected when NC's strict photo ID requirement goes into effect in 2016.
- **Voter turnout.** Women vote at higher rates than men in North Carolina, but more than 200,000 eligible women are still not registered; and in a midterm election like 2010, less than half of those who are registered typically cast a ballot. More than 500,000 women in NC who voted in 2008 and 2012 skipped 2010! There is much room for improvement.

### ***Recommendations for Action***

The General Assembly redistricting maps and the massive rewrite of election law are both being challenged in court by the League of Women, NC NAACP, other groups and voters. While those lawsuits continue, there are several actions that could be taken to make our state's electoral process and our elected bodies more representative and responsive:

- **Independent Redistricting.** The General Assembly should pass a new version of House Bill 824 that passed the state House in 2011 with strong bi-partisan support but stalled in the Senate. H824 follows a model in Iowa that puts non-partisan legislative staff in charge of drawing new district maps after each Census without using political data.
- **Big Money Disclosure.** Pass a new version of H918 adopted by the NC House in 2013. It requires faster, more complete disclosure of money spent on elections by outside groups.
- **Remove Barriers to Voting.** Oppose new restrictions and work to repeal the election law changes made in 2013. Or at least mitigate some of the damage, for example, by accepting more types of IDs and accepting an attestation if a voter lacks one of the acceptable IDs.
- **Online Voter Registration.** Several red and blue states allow voters to register or update a registration on line – for convenience, cost savings, and improved accuracy. NC should, too!
- **Civic Participation.** Help build a strong, healthy civic life for North Carolinians. Increase civics education in schools, restore pre-registration for teenagers, place more polling places on campuses, and encourage youth involvement at all levels of government.

## ♀ “To Form a More Perfect Union...”: the Equal Rights Amendment

By RATIFY ERA-NC | [www.era-nc.org](http://www.era-nc.org)

### **A 91-year struggle for equality for women**

The proposed Equal Rights Amendment (ERA) to the U.S. Constitution was first introduced in Congress in 1923. Forty-nine years later (1972), it finally passed both houses of Congress by the required two-thirds majority and went to the states for ratification. Congress later extended an original seven-year deadline. In 1982, when that deadline expired, 35 of the needed 38 states (the constitutionally required three-fourths) had ratified the ERA. North Carolina is one of the 15 un-ratified states.

### **Three-state strategy**

The struggle for equal rights for men and women continues. The three-state strategy for the ERA was developed after ratification of the 27<sup>th</sup> Amendment (dealing with congressional pay raises) in 1992, more than 203 years after Congress passed it in 1789. Acceptance of that long ratification period led some ERA advocates to argue that Congress has the power to maintain the legal viability of the ERA's existing state ratifications.

Since 1995, ERA advocates have worked to pass ratification measures in at least seven of the 15 unratified states. While no state has passed an ERA measure in both houses of its legislature, the ERA has advanced legislatively in several of these states. ERA resolutions have been introduced in Arizona, Arkansas, Florida, Illinois, Missouri, Oklahoma, and Virginia. The Illinois Senate passed a resolution ratifying the ERA earlier this year, and the Illinois House of Representatives is expected to act on it in November. The Virginia Senate passed ERA resolutions in 2011 and 2012, but the House of Delegates tabled it in committee.

### **Congressional action to eliminate the deadline**

Currently resolutions are pending in both houses of Congress to eliminate the ratification deadline and make ERA part of the Constitution when three more states ratify it. Senate Joint Resolution 15 was introduced by Sens. Ben Cardin (D-MD) and Mark Kirk (R-IL) and has 34 cosponsors, including Sen. Kay Hagan (D-NC). A committee hearing is expected soon. The House companion version, introduced by Rep. Jackie Speier (D-CA), is House Joint Resolution 113 with 144 cosponsors, including Rep. David Price (D-NC).

### **Why is the ERA needed?**

Without a constitutional guarantee of equality, statutes and case law that have produced hard-won advances in women's rights since the middle of the last century are vulnerable to being ignored, weakened, or repealed. These include the Equal Pay Act, the Pregnancy Discrimination Act, Titles VII and IX of the 1964 Civil Rights Act, and several court decisions supporting equality for women and men. With a single vote, Congress can amend or repeal these laws, the Administration can negligently enforce such laws, and the Supreme Court can use a lower standard of review to permit certain forms of sex discrimination. The recent Hobby Lobby ruling allowing employers to refuse to include birth control in employee health insurance plans would have been impossible had the ERA been part of the Constitution. Recently, laws protecting gender equality have been reversed in state legislatures; the ERA would not allow state laws to discriminate.

The ERA would provide a basic legal remedy against sex discrimination and would guarantee that all citizens, without regard to sex, enjoy the rights affirmed by the U.S. Constitution. The ERA would clarify the legal status of sex discrimination for the courts, where decisions still deal inconsistently with such claims. For the first time, gender would be considered a “suspect” classification, as race currently is.

Governmental actions that treat males or females differently as a class would be subject to strict judicial scrutiny and would have to meet the highest level of justification in order to be upheld as constitutional. To actual or potential offenders who would try to enact, enforce, or adjudicate laws inequitably, the ERA would send a strong preemptive message: the Constitution has zero tolerance for sex discrimination under the law.

***Recommendations for action:***

*Congressional solutions*

- Urge Senator Richard Burr to cosponsor S.J. Res. 15, to eliminate the deadline and make ERA part of the Constitution after three more states ratify it. (Senator Hagan is already a cosponsor.)
- Urge your U.S. Representative to cosponsor H.J. Res 113, the companion measure in the House.

*Legislative solutions*

- The ERA will be introduced in the NC General Assembly in 2015. Urge your state legislators, as well as candidates for the General Assembly, to cosponsor and vote for it.

♀ **Fair Treatment for Immigrants and their Families**

Immigrant and Refugee Rights Project, NC Justice Center | [www.ncjustice.org/immigrants-and-refugees](http://www.ncjustice.org/immigrants-and-refugees)

Everyone deserves fair treatment, regardless of race, ethnicity, or country of origin. Unfortunately, instead of protecting immigrants and their families from abuses and advancing public policies that improve the well-being of immigrant families, the NC General Assembly chose not to act this year on policies that would help immigrants. Important steps that legislature could have taken include:

➤ **Adopt a fair and reasonable driving permit that would allow immigrants to drive legally**

Expanding access to driver's licenses could improve public safety, boost the state's economy and benefit hundreds of thousands of North Carolina families, a report from the NC Budget & Tax Center found this year. Being able to drive a car is important in North Carolina to get to work, take children to school and meet daily family needs. Ensuring that all drivers are licensed and insured also supports broader public safety goals that are important to every North Carolinian. That's why a growing number of states—12 as of 2013—have allowed undocumented immigrants access to driver's licenses. The experiences of other states show there are substantial benefits but little to no additional costs from this policy.

➤ **Adopt a law allowing all students residing in North Carolina to pay the in-state tuition rate, regardless of immigration status.**

All North Carolina students should have the opportunity to continue their education so they can gain the skills that will boost their careers and help modernize the state's economy. However, North Carolina requires undocumented immigrant students to pay expensive out-of-state tuition, which is nearly 300 percent higher than in-state tuition on average.

➤ **Protect farm workers, many of whom are immigrants.**

Migrant and seasonal farm workers are among the most vulnerable workers in North Carolina, earning below-poverty-level wages and suffering high rates of occupational injuries and illnesses. Nearly all of North Carolina's labor laws exclude farmworkers or treat them differently from other workers. Farmworkers historically have been excluded from basic labor protections or treated less



favorably under worker-protection laws. Even though agriculture is an extremely hazardous industry, workers' compensation insurance covers only those employed on the largest farms or those whose employers use a special visa program. In North Carolina, farmworkers are not entitled to overtime pay, and workers on small farms are not covered by minimum-wage requirements. North Carolina also has only minimal requirements for the housing provided by farm owners to migrant farmworkers. While many think of farmworkers as being primarily men, many women work in the fields and they have been particularly vulnerable to sexual assault and sexual harassment.

***Recommendations for Action:***

- Speak out to lawmakers, your local officials and your friends about the benefits immigrant families bring to your community.
- Remind lawmakers that expanding access to post-secondary education to young immigrants who graduate from North Carolina high schools is a smart investment that will make North Carolina more economically competitive.
- Tell lawmakers that occupational safety and worker's compensation laws exist to ensure that everyone in North Carolina—including farmworkers—is able to earn a living and support his or her family without jeopardizing his or her health or even life.

♀ **Religious Freedom Restoration Act (RFRA)**

Equality NC | [www.equalitync.org](http://www.equalitync.org)

Typical Religious Freedom Restoration Acts (RFRA) prevent the government from substantially burdening religious freedom absent a showing its action is the least restrictive means of furthering a compelling state interest. These laws essentially require a court to look closely at laws that impose a serious burden on religious exercise, even where the law itself doesn't specifically target religious practice.

Recently, we've seen efforts to pass broader RFRA that could be used to undermine non-discrimination laws, regulation of licensed professions, and other important protections wherever someone claims that their religious beliefs are in conflict with the law.

The freedom of religion is one of our most fundamental rights. It's enshrined in our Constitution and reflected in laws across our nation -- and it's not up for debate. But a new type of bill appearing in state legislatures across the country, so-called "Religious Freedom Restoration Acts" (or RFRA), essentially allow individuals to use their religious beliefs to harm others, paving the way to challenge virtually any law designed to protect all of us from various forms of discrimination. These discriminatory bills cause real problems for people, governments and businesses. The RFRA proposed in North Carolina are considered by many legal experts to be the most extreme form of the legislation seen anywhere, similar to bills passed in Alabama and Mississippi.

***Recommendations for Action:***

- Leadership in the N.C. General Assembly, along with the Governor's office, must take a strong stand against this type of legislation, rejecting proposed RFRA bills in both chambers and sending a strong message that we want our state to be a place that welcomes all people who work hard and want to help grow our economy.



# Violence Against Women

## ♀ Gun Safety

By Sara Smith and Beth Messersmith, NC MomsRising | [www.momsrising.org/page/moms/nc/main](http://www.momsrising.org/page/moms/nc/main), in partnership with Karen Hadelman, Moms Demand Action for Gun Sense NC | [www.facebook.com/MomsDemandActionNC](http://www.facebook.com/MomsDemandActionNC)

**How Guns Have Harmed North Carolina's Women and Families** - From 2001 to 2010, 11,102 people were killed with guns in North Carolina, more than double the number of soldiers killed in combat during the wars in Iraq and Afghanistan. Every eight hours in North Carolina, someone is killed with a firearm. In 2010 alone, there were 1,123 gun deaths in our state.

As women and as mothers, we are deeply affected by gun violence. Domestic violence fatalities are commonplace in NC. The CDC reports that more than one in five homicides in NC in 2011 were the result of domestic violence and more than half of these victims - 55.6 percent - were killed with guns. From 2001 to 2010, 740 NC women were murdered using firearms.<sup>20</sup> Children are also at serious risk of intentional or accidental injury or death from firearms. According to the NC Violent Death Reporting System, in 2011, there were a total of 81 violent deaths to North Carolina children between the ages of zero and seventeen. Firearms were involved in half of all these violent deaths (51%), including 10 unintentional firearm deaths and 21 firearm-related deaths among 15-17 year olds.<sup>21</sup>

Yet at a time when a majority of North Carolinians—including 64% of NC women—support more gun safety laws to keep their communities safe, the General Assembly chose to enact a law with provisions most North Carolinians oppose.<sup>22</sup>

**Risk of Harm from Firearms Rising as State Legislature Welcomes Guns into Public Places Frequented by Children and Families** - On October 1, 2013 a state law (HB 937) weakening North Carolina's gun policies went into effect.<sup>23</sup> This law allows concealed weapons permit holders to carry handguns in places where women and families eat, play and learn. The law prohibits cities and towns from passing local ordinances restricting concealed weapons in any public facilities such as public parks, playgrounds, K-12 schools, colleges, and universities. It also dangerously weakens our pistol permitting process.

According to this law, concealed weapons permit holders may bring guns into bars and restaurants serving alcohol, though they cannot consume alcohol while carrying. Restaurants and bars can opt out by posting a sign letting customers know that weapons are not welcome. This is a difficult position for some restaurants and bars: some of those that have taken a "no weapons" stance have been the target of angry—sometimes threatening—emails and telephone calls. Furthermore, should restaurant/bar staff encounter an individual carrying a weapon and consuming alcohol, it puts them in a position of confronting a person under the influence of alcohol about their loaded weapon. A majority of North Carolinians oppose this provision of the law: A 2013 poll showed that only 23% of people (17% women) agreed that concealed-carry permit holders should be allowed to carry a gun into a bar.<sup>24</sup>

Concealed weapons are also now permitted on playgrounds, parks, greenways, pools and athletic fields across the state: all places where women and families spend recreational time together. Publicly funded

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<sup>20</sup> <http://cdn.americanprogress.org/wp-content/uploads/2014/06/CAP-DV-NC.pdf>

<sup>21</sup> <http://www.injuryfreenc.ncdhhs.gov/DataSurveillance/VDRS/NC-VDRSChildViolentDeathsNorthCarolina2011.pdf>

<sup>22</sup> Elon University Poll. [North Carolina State Survey of Registered Voters: Attitudes on Issues Facing the State](#). September 13-16, 2013.

<sup>23</sup> North Carolina General Assembly. [An Act to Amend State Firearms Laws](#). Session Law 2013-369, House Bill 937, \*H937-v-6\*.

<sup>3</sup> Elon University Poll. [North Carolina State Survey of Registered Voters: Attitudes on Issues Facing the State](#). September 13-16, 2013.

playgrounds, parks and facilities must now allow concealed weapons regardless of whether they feel it endangers their patrons.

Concealed weapons are permitted at public events, including ticketed concerts, public parades, and funeral processions. They also may be stored in locked cars on public and private K-12 school and university campuses (private events and private K-12 schools/universities can opt out). School boards such as the Charlotte Mecklenburg school board lobbied against the law and attempted to find a way around implementing it, but legally were mandated to enforce it despite concerns about the safety of students, teachers and school staff.<sup>25</sup> The law was also opposed by police chiefs at all 17 UNC campuses, who stated that “the potential risk to those on campus far outweighs the convenience to concealed-carry permit holders”, and expressed frustration that they were denied the discretion allowed to private universities to ban concealed weapons on their campuses<sup>26</sup>.

The law also weakens the pistol purchase permitting system by sealing purchase permit records. This means that identifying information from sheriffs’ and weapons dealers’ lists is no longer public record. Sheriffs also have less discretion in denying purchase permits than they have had in the past, and there is now no limit to the number of purchase permits an individual can apply for.

**Protecting North Carolina Women From Gun Violence** - In addition to the repeal of HB 937, NC needs to strengthen existing gun laws to better protect women and our children. North Carolina law requires handgun purchasers to obtain a permit necessitating a background check before purchase, but the background check does not apply to purchases of rifles or shotguns, or to firearms purchased through private, online, or gun show sales. In addition, North Carolina law, unlike federal law, does not automatically bar a domestic violence misdemeanor from possessing a firearm and does not prohibit stalkers, dating partner abusers, or unmarried domestic abusers from purchasing firearms.<sup>27</sup> Finally, under NC law, individuals are prohibited from knowingly permitting a child under the age of twelve to have possession, custody, or use any dangerous firearm, except with the permission of the child’s parent or guardian. Doing so is a Class 2 misdemeanor.<sup>28</sup> But the law fails to address negligence in gun storage and safety, which is a leading cause of unintentional gun deaths in children.<sup>29</sup>

**Protecting North Carolinians from Gun Violence** - It’s past time for North Carolina to move forward on protecting women and families from gun violence.

***Recommendations for Action:***

- Repeal HB 937.
- Close the background check loophole by extending it to cover all firearm sales, including private, online, and gun show sales.
- Close the domestic violence loophole by bringing NC law into agreement with federal law, which automatically bars a domestic violence misdemeanor from possessing a firearm, and ensuring that the law protects victims of stalking, dating partner abusers, and unmarried domestic partners.
- Expand and strengthen existing laws regarding child access to guns by increasing penalties for knowingly allowing a child to have access to a firearm and expanding them to hold adults accountable for unsafe storage of firearms leading to a child’s injury or death.

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<sup>25</sup> CharlotteObserver.com. [CMS to staff: Keep vehicle locked if you bring a gun](#). October 22, 2013.

<sup>26</sup> University of North Carolina Asheville. [UNC System Police Chiefs Issue Joint Statement on N.C. House Bill 937 Pertaining to Firearms on Campus: UNC Asheville Police Chief Eric Boyce Issues Additional Comment](#). September 10, 2013.

<sup>27</sup> <http://cdn.americanprogress.org/wp-content/uploads/2014/06/CAP-DV-NC.pdf>

<sup>28</sup> North Carolina General Assembly. [An Act to Amend State Firearms Laws](#). Session Law 2013-369, House Bill 937, \*H937-v-6\*.

<sup>29</sup> <http://everytown.org/article/innocents-lost/>

## ♀ Violence Against Women

By NC Coalition Against Sexual Assault | [www.nccasa.org](http://www.nccasa.org) and NC Coalition Against Domestic Violence | [www.nccadv.org](http://www.nccadv.org)

Violence against women is a serious, widespread social problem in our country and in our state. Nearly 25% of American women report being raped and/or physically assaulted by a current or former spouse, cohabiting partner, or dating partner at some time in their lifetime.<sup>30</sup> Women of all races, sexual orientation, age, ability, and socioeconomic backgrounds are vulnerable to sexual assault and intimate partner violence. In North Carolina, approximately 90 local sexual assault and domestic violence programs in the state provide crisis intervention services for all 100 counties, including emergency shelter, crisis counseling, court advocacy, hospital accompaniment, and support groups. Recent media coverage regarding sexual violence and domestic violence committed by NFL players and on college campuses have contributed to an increased volume of calls to local hotlines and sexual assault and domestic violence programs.

In the 2012-2013 fiscal year, rape crisis centers responded to over 20,000 hotline calls and served 13,000 victims.<sup>31</sup> With sexual assault programs across the state providing advocacy, transportation, hospital and court accompaniment services, programs were able to provide 120,000 different services to victims of sexual assault.<sup>32</sup>

The trauma incurred from sexual violence impacts victims in their daily functioning. Victims feel these effects in a myriad of ways including depression, difficulty concentrating, vulnerability, and changes in eating and sleeping patterns. The impact translates to job loss or difficulty, both physical and mental health expenses, and relocation. Victims of sexual violence are three times more likely to suffer from depression, four times more likely to contemplate suicide, and 26 times as likely to abuse drugs.<sup>33</sup> The cost of crime to victims is an estimated \$450 billion per year.<sup>34</sup> Rape is the most costly to its victims, totaling \$127 billion annually.<sup>35</sup> Therefore, the trauma incurred from sexual violence is a community problem that must be remedied through effective legislation and support.

Last year alone, local domestic violence programs responded to over 114,000 crisis line calls and provided services to over 57,000 victims.<sup>36</sup> In addition, these programs provided support groups or shelter to almost 9,000 children. Despite these crucial services, the programs do not have the financial resources to meet the needs of domestic violence victims.

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<sup>30</sup> The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Summary Report. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

<sup>31</sup> North Carolina Council for Women, Sexual Assault Statistical Report, FY 2012-13.

<sup>32</sup> North Carolina Council for Women, Sexual Assault Statistical Report, FY 2012-13.

<sup>33</sup> World Health Organization. 2002.

<sup>34</sup> Miller, T.R., Cohen, M.A., & Wiersema, B. (1996). Victim costs and consequences: A new look. Washington, D.C.: National Institute of Justice

<sup>35</sup> Id.

<sup>36</sup> North Carolina Council for Women/Domestic Violence Commission, Domestic Violence Statistical Report, FY 2012-13.

Without appropriate intervention and services, domestic violence often escalates into homicide. On average, more than three women are murdered by their husbands or boyfriends in this country every day.<sup>37</sup> Domestic violence related homicides in North Carolina as reported by state and local law enforcement for 2013 totaled 108, according to the NC Department of Justice.<sup>38</sup> In addition, NC ranked 19th in the nation for the number of per capita homicides committed by men against women in 2012, according to the Violence Policy Center.<sup>39</sup> This is a horrifying reality for too many families in North Carolina, and we know that children who witness violence in the home are much more likely to continue the cycle of violence in the next generation.

Access to appropriate intervention and services is essential to supporting victims of sexual assault and domestic violence. In just one 24-hour period in September of 2013, programs across the state had to turn away 101 victims requesting services due to lack of resources.<sup>40</sup> North Carolina has an opportunity to support some of crime's most vulnerable victims by ensuring availability of services for sexual assault and domestic violence victims through supporting bills to maintain funding.

North Carolina has made progress in addressing sexual assault and domestic violence by strengthening our laws over the last several years, but we still have much work to do to ensure that offenders are held accountable and victims have more resources that will increase safety and options. In the interest of providing more resources to child sexual assault victims, during the 2015 legislative session NCCASA and NCCADV will be supporting comprehensive health education legislation to provide for age appropriate sexual abuse and assault awareness and prevention education for students and training for staff in all K-12 schools.

During the 2013 Legislative Session, with the leadership of the administration, the Coalitions helped maintain the 50C Civil No-Contact Order that provides protection from nonconsensual sexual conduct and stalking without an intimate or familial relationship when the validity of the order was challenged by current legislators. We are directing our efforts towards improving the 50C Civil No-Contact Order in the 2015 Legislative Session to provide victims and practitioners alike with a bill that fulfills all of their needs. Recognizing North Carolina's rate of human trafficking, 2013 also brought sweeping legislation to rewrite the chapter on prostitution and establish state laws prohibiting human trafficking. Human trafficking victims are susceptible to sexual assault and exploitation. Traffickers commonly use sexual violence as a tool to assert power and control over women, children, and men, regardless of the type of trafficking they engage in. In 2015, we will continue to support legislation to hold traffickers accountable and support victims of this crime.

Current efforts of the North Carolina Coalition Against Sexual Assault and the North Carolina Coalition Against Domestic Violence (NCCADV) include the following:

**Recommendations for Action:**

- Support the Legislative Agendas of the North Carolina Coalition Against Sexual Assault ([www.nccasa.org](http://www.nccasa.org)) and the North Carolina Coalition Against Domestic Violence ([www.nccadv.org](http://www.nccadv.org)).

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<sup>37</sup> In 2010, 1,095 victims women were killed by an intimate partner. United States Department of Justice. 2011. *Crime in the United States, 2010*. Federal Bureau of Investigation, Uniform Crime Reports, Washington, DC,

<sup>38</sup> NC Department of Justice, *Report on Domestic Violence Related Homicides for Calendar Year 2013*.

<sup>39</sup> Violence Policy Center, *When Men Murder Women: An Analysis of 2012 Homicide Data*, September 2014.

<sup>40</sup> National Network to End Domestic Violence: 2013 Domestic Violence Counts Census.

- Maintain funding to support essential services provided by local sexual assault and domestic violence programs across the state.
- Amend the definition of “domestic violence” in the Domestic Violence Criminal Pre-Trial Release Conditions statute to coincide with the definition of 50B to ensure that victims of dating violence are protected.
- Pass comprehensive health education legislation which provides for age appropriate sexual abuse and assault awareness and prevention education for students in K-12 schools and training for school staff.
- Hold abusers accountable for committing crimes in front of children by creating a new statutory aggravating factor for sentencing when abusers commit crimes in sight or hearing of a minor child.
- Pass legislation which criminalizes abusers’ actions when they disseminate sexually explicit photos of victims without their permission.
- Pass legislation which requires all correctional facilities, juvenile facilities, and local confinement facilities to comply with federal Prison Rape Elimination Act (PREA).
- Strengthen criminal sexual assault and domestic violence laws to hold abusers accountable.
- Amend 50B definition of “personal relationship” to include same-sex dating partners so that ALL victims can be protected.
- Amend 50C to strengthen protections afforded to victims of nonconsensual sexual conduct and stalking without an intimate or familial relationship.
- Support fully funding the Housing Trust Fund and Family Court as both alternative housing and custody are essential for victims to permanently leave an abusive partner.

# Economic Security and Self-Sufficiency

## ♀ Affordable Housing

By Triangle Older Women's League | [www.owl-national.org](http://www.owl-national.org), in partnership with the North Carolina Housing Coalition | [www.nchousing.org](http://www.nchousing.org)

One of the most severe problems facing hard-working but low-income North Carolinians is finding affordable housing. They may have to live with relatives or friends, do without necessities to pay their rent, or stay in homes that are in poor condition and sometimes even unsafe. Across North Carolina the cost of housing has risen faster than wages, especially since manufacturing jobs have given way to lower-paying service jobs. According to the North Carolina Housing Coalition, as many as two million residents in North Carolina lack safe, decent, and affordable housing. Almost half of low-income households pay over 30 percent of family income for housing. The Fair Market Rent for a two-bedroom apartment is \$747; the hourly wage needed to pay this rent is \$14.37, assuming that a renter works seven days per week, 52 weeks per year.<sup>41</sup> However, the average renter makes only \$12.42 an hour, creating an affordability gap. The number of residents in homeless shelters has been increasing, with homeless children being the fastest-growing segment of this population.

Women make up a disproportionate share of those who live in low-income housing. They are the largest group of those in federally subsidized housing in North Carolina. Subsidized housing for the elderly includes a high percentage of women, since females tend to outlive males and have lower incomes.

A state program proven to help in this difficult time is the North Carolina Housing Trust Fund. Created by the General Assembly in 1987, it is North Carolina's only state-funded and state-designed resource for affordable housing. It provides home ownership opportunities for low-income families and apartment developments for families, seniors and people with disabilities. It finances home repairs and accessibility modifications for the elderly and disabled persons. The Trust Fund also finances supportive housing for homeless families, survivors of domestic violence, and people with mental illness, developmental and other disabilities. There has been an ongoing campaign to raise the state's investment in the Trust Fund to \$50 million per year. In the 2014 legislative session, \$6.9 million was appropriated to the NC Housing Trust Fund.

### **Recommendations for Action:**

- Provide annual funding of \$50 million to the NC Housing Trust Fund to increase availability of affordable housing.

## ♀ Aging with Dignity and Security

By Triangle Older Women's League | [www.owl-national.org](http://www.owl-national.org)

The elderly population in North Carolina is increasing rapidly, and it is predominantly female. Of the 1,345,000 persons over 65 in 2012, 58 per cent were women. Of those over 85, an even greater number were female—no surprise there. Aging issues are women's issues. And a number of elderly individuals live in poverty: 10.2 per cent are below the very low standard of federal poverty level, and 23 per cent

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<sup>41</sup> Fair market rate and wage data from the NLIHC's 2014 *Out of Reach Report*.

are below 150 per cent of FPL. For low-income women who need long term care, choices may be few. (Statistics from the website of the North Carolina Division of Aging and Adult Services.)

The long term care program that is most helpful to frail elderly persons, and to the state as well, is the Home and Community Care Block grant, which is used to provide a number of home-delivered services such as Meals on Wheels, personal care services, and transportation, without regard to income. These services, offered primarily to persons at risk for institutional care, allow thousands of individuals to remain at home where they want to be instead of in an adult care home where the basic cost for those who are subsidized is borne half by the state and half by the county. Two years ago, the block grant program had a waiting list of 14,000 persons; the waiting list is now over 16,000. The General Assembly nevertheless cut funding for the block grant by almost \$1,000,000. As a result, about 1500 individuals will lose services, and some will be forced into institutional care at much greater cost to the state. In addition, Adult Day and Adult Day Health Centers, which offer care and stimulating activities during the day for elderly and disabled persons, constantly struggle with inadequate payments and difficult costs for transportation. Yet they provide working families significant help in keeping frail elderly persons at home.

The state's largest expenditure after public education and higher education is Medicaid. Naturally, in straitened times, legislators look to cut it even though every dollar in state cuts means the loss of two federal dollars. Also, because Medicaid is an entitlement program, its costs cannot be strictly controlled—new beneficiaries must be enrolled if they are eligible—and it frequently suffers overruns. Out of frustration the Senate in the short session proposed privatizing Medicaid, despite poor results of doing so in some other states. The House offered an alternative proposal of control by regional associations of medical groups. No decision was made. Meanwhile, the state has been reducing optional Medicaid services for the elderly. These include eyeglasses, dental care, prescription drugs, and home care—all hard to do without and not generally considered “optional.” But the program has not been altogether cancelled.

***Recommendations for Action:***

- Help North Carolina's seniors live independent lives by increasing funding for the Home and Community Care Block Grant for services to elderly persons living at home.
- Preserve optional Medicaid services for older and disabled adults.

♀ **Why Equal Pay Matters to North Carolina Families**

By North Carolina Federation of Business and Professional Women's Clubs, Inc | [www.bpw-nc.org](http://www.bpw-nc.org)

North Carolina women make up more than half of the states' workforce (58.9%). They are the equal, if not main, breadwinner in four out of ten families. Women receive more college and graduate degrees than men. Yet, on average, women continue to earn considerably less than men. In 2012, female full-time workers made only 82 cents for every dollar earned by men, a gender wage gap of 18 percent. Women, on average, earn less than men in virtually every single occupation for which there is sufficient earnings data (for both men and women) to calculate an earnings ratio.<sup>42</sup>

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<sup>42</sup> <http://www.nationalpartnership.org/research-library/workplace-fairness/fair-pay/americas-women-and-the-wage-gap.pdf>



In North Carolina, the 2012 median annual earnings for a woman working full-time, year round was \$34,000. North Carolina ranked 22<sup>nd</sup> of the 50 states in a new report released in August 2014.<sup>43</sup> Our state ranking has improved since 2006 when a composite index was last calculated by the Institute of Women's Policy Research, but the state still received a C+ grade on a scale of A to F.

White females who worked full-time, in the past 12 months earned \$34,597 while white males who worked full-time, in the past 12 months earned \$43,050. That wage difference of \$ 8,455 makes a huge difference in a family's ability to thrive. An even larger wage gap exists between the earning of Asian men and women working full time in North Carolina (\$18,508). Hispanic women have a median income of \$22,534 while American Indian women's median income is \$27,847; and African American women in North Carolina have a median income of \$30,622.<sup>44</sup>

Secrecy exists in wage information available to single women in particular. If the Paycheck Fairness Act (US Senate Bill S 84) was to be passed, and become law, employees would be able to openly discuss wages and not fear retaliation by their employers.<sup>45</sup> As it stands, the ability to discuss the wage gap is an issue in many settings in the private sector where more women are employed in low wage jobs. Public sector jobs have more transparency in salary levels.

The loss in lifetime earnings for women due to the wage gap is estimated to be at least \$400,000 according to information in studies done by AAUW.<sup>46</sup> Life expectancy for women is higher than that of men which means that older women often live longer in or near poverty as a result of their lowered Social Security earnings. If they are fortunate enough to have a retirement plan, their contributions and that of an employer are diminished since contributions are usually based on a percentage of income levels.

Wage inequity is a major cause of poverty. Poverty in North Carolina continues to be a concern with 1,713,132 North Carolinians (18%of the population) living below the poverty level based on a report from US census data and the American Community Survey from September 2013. Closing the wage gap through pay equity would help reduce the spending needed for government programs such as SNAP, WIC, TANF, Housing subsidies, Energy Assistance, and School lunch Programs.<sup>47</sup>

According to data for North Carolina from the *U.S. Census Bureau, 2008-2012 American Community Survey 5-Year Estimates*, 104,354 married couples lived below the poverty level during the last 12 months and 168,423 female households with no husband present lived below the poverty level. Of those, 146,623 were female heads of household with children under the age of 18. By comparison, 32,980 male heads of household were living below the poverty level during the same period with 25,572 living with children under 18 years of age.<sup>48</sup> Even families with two wage earners suffer due to the wage gap.

Closing the wage gap would grow the economy of North Carolina by providing families additional resources to improve their quality of life, allowing them to become more self-sufficient and less

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<sup>43</sup> <http://www.iwpr.org/publications/pubs/working-women-in-washington-dc-rank-highest-for-employment-and-earnings-west-virginia-women-rank-lowest>

<sup>44</sup> [http://thedataweb.rm.census.gov/TheDataWeb\\_HotReport2/profile/2012/5yr/np01.html?SUMLEV=40&state=35](http://thedataweb.rm.census.gov/TheDataWeb_HotReport2/profile/2012/5yr/np01.html?SUMLEV=40&state=35)

<sup>45</sup> <https://beta.congress.gov/bill/113th-congress/senate-bill/84> and "IWPR/Rockefeller Survey of Economic Security #Q016"

<sup>46</sup> <http://www.aauw.org/2014/03/27/personal-stories-of-the-gender-pay-gap/> and <http://www.aauw.org/article/new-dimensions-to-the-gender-pay-gap/>

<sup>47</sup> <http://www.census.gov/prod/2013pubs/acsbr12-01.pdf>

<sup>48</sup> <http://www.census.gov/prod/2013pubs/acsbr12-01.pdf> f and Living in Near Poverty in the United States 1966-2012 [www.census.gov/prod/2014pubs/p60-248.pdf](http://www.census.gov/prod/2014pubs/p60-248.pdf)



dependent on government resources to make ends meet. Every citizen of North Carolina would benefit with this action.

**Recommendations for Action:**

- Advocate for the North Carolina General Assembly to reintroduce and enact House Bill 603 first introduced in April of 2013 - **The Equal Pay Act** in order to help our sisters, our daughters, our nieces, our daughters-in-law, our mothers, aunts, grandmothers and ourselves.<sup>49</sup>

♀ **Improved Work/ Life Policies: Access to Paid Leave, Paid Sick Days, Protection from Pregnancy Discrimination, and Nursing Support**

By Louisa Warren, formerly of the NC Justice Center | [www.ncjustice.org](http://www.ncjustice.org); Updated by Beth Messersmith, NC MomsRising | [www.momsrising.org/page/moms/nc/main](http://www.momsrising.org/page/moms/nc/main)

Workers should not have to choose between a paycheck, their job, and their own health or the health of their families. Yet, because of the lack of policies that help workers meet their family responsibilities, many workers face this choice every day. Almost nine out of ten private-sector workers in North Carolina have no wage replacement if they need to take extended leave for their own serious illness, the serious illness of a family member or to care for a new baby, and nearly half of private sector workers have no paid sick days for short-term illnesses and routine needs.<sup>50</sup>

An array of proven policy options exists to help create workplaces in which workers can be productive and effective without sacrificing family responsibilities or their health. A family leave insurance program, Family Medical Leave Act (FMLA) expansions, paid sick days, and protection from pregnancy discrimination are tools that policymakers can use to create economic stability for workers and their families and opportunity for businesses and the economy.

First, policymakers should explore the feasibility of enacting a state family and medical leave insurance system that provides full or partial pay for workers while they are out on leave to recover from an illness or to care for a new child or a seriously ill relative. Currently, no state or federal law requires North Carolina's employers to give their employees any paid leave. The federal FMLA provides unpaid job-protected leave for up to 12 weeks to care for a seriously ill family member, to recover from the employee's own illness, or to care for a new child.<sup>51</sup> However, the scope of FMLA is limited and because the leave is unpaid, many workers who are eligible cannot take advantage of it.<sup>52</sup>

Several states have now enacted family leave insurance systems and North Carolina should explore how this type of system could be enacted here. Research on the family leave insurance programs in California and New Jersey has found that the programs can be critical for workers' economic security, have

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<sup>49</sup> <http://www.ncleg.net/Sessions/2013/Bills/House/PDF/H603v0.pdf>

<sup>50</sup> In the South Atlantic region, 89 percent of private-sector workers lack access to paid leave and 44.5 percent of North Carolina's private-sector workers lack access to paid sick days. U.S. Department of Labor, Bureau of Labor Statistics, *National Compensation Survey: Employee Benefits in Private Industry in the United States*, March 2011 and Institute for Women's Policy Research analysis of 2009-2010 National Health Interview Survey (NHIS) and 2009 American Community Survey.

<sup>51</sup> 29 U.S.C. Section 2601

<sup>52</sup> In a study of the FMLA, 78 percent of workers who needed family or medical leave but did not take it, although they were eligible for it, said they chose not to do so because they could not afford to take unpaid leave. White, Karen and Eileen Applebaum, Economics and Politics of Work-Family Policy: The Case for a State Family Leave Insurance Program, Working Poor Families Project Brief, Spring 2009 citing U.S. Department of Labor, Balancing the Needs of Families and Employers: Family and Medical Leave Surveys.

positive health impacts, and can be a cost-saving measure by reducing employee turnover rates.<sup>53</sup> Both systems are funded through a modest employee payroll tax. Businesses don't have to foot the cost but get to reap the benefits of having more productive and loyal employees. And families have access to job security and economic stability through family leave.

As an intermediary step, policymakers should consider expansions to the FMLA, which only applies to workers at companies with 50 or more employees who worked at least 1,250 hours in the preceding year. The FMLA's definition of family excludes domestic partners and other family members such as parents-in-law and grandparents, further limiting its scope. Several states have taken the initiative to broaden the reach of FMLA protections under their own state statutes. North Carolina can follow the lead of these states to expand the protection of the federal law to more workers. The *Caregiver Relief Act*, introduced since 2011, would include siblings, grandparents, stepparents, and parents-in-law in the definition of "family".

Policymakers should also consider paid sick days legislation. Paid sick days address the need for paid time off for short-term illnesses and routine medical appointments. Currently, no state or federal law requires employers to give employees the opportunity to earn paid sick days. The *Healthy Families, Healthy Workplaces Act*, has been introduced in the NC General Assembly every session since 2007. It would allow workers to earn up to seven days of sick leave annually, would save jobs, improve public health, and save employers an estimated \$100 million annually, largely from reduced employee turnover.<sup>54</sup>

Finally, North Carolina should consider legislation that specifically prohibits pregnancy discrimination and that mandates support of nursing mothers expressing milk in the workplace. According to the U.S. Department of Labor, North Carolina is one of only five states without either of these protections.<sup>55</sup> This is particularly troubling when three out of four (77.4 percent) NC mothers with children under 18 are in the labor force and 40 percent of NC working moms are their family's primary breadwinner.<sup>56</sup> North Carolina should follow the lead of West Virginia, New Jersey, and other states and support legislation that would allow pregnant women to continue to do their jobs and support their families by requiring employers to make the same sorts of accommodations for pregnancy, childbirth, and related medical conditions that they do for disabilities.<sup>57</sup> North Carolina should also follow states like Tennessee that require employers to provide nursing mothers a reasonable amount of unpaid break time and a space to express milk in private.<sup>58</sup>

### **Recommendations for Action:**

- Establish a state-run paid family and medical leave insurance program to make family leave real.
- Broaden the reach of the Family Medical Leave Act, which provides unpaid leave, by expanding eligibility.

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<sup>53</sup> See, for example, Houser, Linda and Thomas P. Vartanian. "Pay Matters: The Positive Economic Impacts of Paid Family Leave for Families, Businesses, and the Public," Rutgers Center for Women and Work, January 2012.

<sup>54</sup> Miller, Kevin and Claudia Williams. May 2009. "Valuing Good Health in North Carolina: The Costs and Benefits of Paid Sick Days," Institute for Women's Policy Research.

<sup>55</sup> U.S. Department of Labor, "Employment Protections for Workers Who Are Pregnant or Nursing," June 2014.

<sup>56</sup> "Women and the Economy," NC Justice Center.

<sup>57</sup> "It Shouldn't Be a Heavy Lift: Fair Treatment for Pregnant Workers," National Women's Law Center, 2013.

<sup>58</sup> "Tennessee," Breastfeeding Law.

- Enact legislation that guarantees all workers a minimum number of paid sick days to care for themselves or a sick family member.
- Enact legislation to require employers to make the same sorts of accommodations for pregnancy, childbirth, and related medical conditions that they do for disabilities.
- Enact legislation requiring employers to provide nursing mothers a reasonable amount of unpaid break time and a private space to express milk.

### ♀ **Living-Wage Jobs and the Inadequate Minimum Wage**

By Tazra Mitchell, NC Budget and Tax Center of the NC Justice Center | [www.ncbtc.org](http://www.ncbtc.org)

Restoring the promise of work in well-paying jobs with benefits is the central challenge confronting North Carolina. Thousands of middle-class jobs have been replaced by jobs that pay too little to keep full-time workers out of poverty and offer fewer chances to improve their earnings overtime. Working hard is simply not enough for many families to make ends meet.

#### **North Carolina’s Economy is producing a Boom in Low-Wage Work**

Almost six out of every ten new jobs that are created in North Carolina pay wages that keep workers trapped in poverty despite working full-time. Industries that pay workers enough to make ends meet accounted for less than 1 in 5 of the state’s total job growth since the economic recovery began. Ultimately, this means that too many workers simply don’t have enough opportunities to earn a living wage and are locked into work that forces them to raise their children in tough economic conditions.

#### **What It Really Takes to Make Ends Meet**

The current minimum wage of \$7.25 per hour fails to reflect the actual needs and household budget challenges of low-income families. The ability of the minimum wage to deliver even the most basic standard of living has eroded considerably over the last few decades since policymakers have refused to raise it regularly, allowing its value to be eroded by inflation. To have same value it did in the 1960s and keep up with the economy, the minimum wage in NC would have to be \$17.54 per hour today.

Raising the minimum wage would make a considerable difference for workers in the state. More than half of the workers who would benefit from raising the minimum wage to \$10.10 by 2016 (as proposed by a group of federal lawmakers) are women and whites. Because African Americans and Hispanic make up a larger share of minimum-wage earners compared to their share of the total workforce, a raise in the minimum wage would significantly benefit these workers of color as well.

While a raise to \$10.10 per hour is a modest step in the right direction, this wage would still leave far too many families living along the economic margins, with an annual income of roughly \$21,000. A better measure for policymakers to implement is a living income standard. In order for families to make ends meet without any assistance, a family of three needs to earn a wage of \$25.13 per hour, or \$45,651 annually, in North Carolina.

#### **Living Wage Ordinances Make for Good Policy**

Seven localities in the state have living wage ordinances for city and county employees and many more private employers have adopted living-wage standards as part of their business model. Local governments in North Carolina cannot require private employers to pay a living wage but they can consider the wages paid by a private employer when awarding public contracts. Local governments can also require businesses seeking local economic development assistance or subsidies to pay a living wage.

Implementing a living wage ordinance is a policy that can benefit the whole community and spur a stronger economy.

**Recommendations for Action:**

- Advocate for lawmakers to raise the minimum wage and allow it to grow automatically with inflation, as well as ensuring that wage standards are enforced.
- Support legislation that would require all taxpayer-supported jobs—including direct government employment, contracting and jobs created through subsidies to corporations—to meet a living-income standard and provide benefits that can support retirement security.

Encourage private businesses to pay a living wage and receive voluntary certification.

♀ **State Tax Revenue and Public Investments**

NC Budget and Tax Center | [www.ncbtc.org](http://www.ncbtc.org)

We pay taxes into the state revenue system in order to **fund investments in core public services**—schools, courts, hospitals, colleges and universities, and infrastructure. These investments are critical to building a strong, more inclusive middle class and a thriving 21st century economy.

Unfortunately, North Carolina’s revenue system is no longer up to the task of making those important investments. In 2013, the NC General Assembly and Governor McCrory implemented a revenue system overhaul that shifted the tax load onto everyday North Carolinians and away from profitable corporations and wealthy individuals. Even though many working families and elderly residents now pay more in taxes, it’s not enough to offset the huge tax cuts state leaders gave to the wealthy. The net result is that the state no longer has the revenue needed to fund those core public services.

**Increased tax load for working families:**

- The NC General Assembly allowed the state Earned Income Tax Credit to expire. This credit enabled workers in low-wage jobs to keep more of what they earned. With the expiration of the EITC, the families of nearly 1.2 million children in North Carolina won’t get this much-needed credit to help them pay for necessities like transportation and child care.
- Taxpayers now pay taxes on more of their incomes than before, thanks to the elimination of numerous deductions and credits in the 2013 tax plan.

**The lack of revenue for investments in core public services:**

- The 2013 tax plan will cost at least \$200 million more each year than initially projected. That means the new state budget—which underfunds schools and other important investments—may already be out of balance.
- In the current fiscal year (2014-15), the 2013 tax plan could cost North Carolina as much as \$1.2 billion. That’s equivalent to 5% of the entire state budget or all state funding for community colleges.

Some of the most damaging tax cuts are set to take effect in 2015, further eroding our ability to fund core public services. But the NC General Assembly and Governor McCrory can still act to preserve those investments by freezing current tax rates and reevaluating the 2013 tax plan during the 2015 legislative session.

### **Recommendations for Action:**

- Stop future tax cuts from going into effect and take a fiscally responsible path to funding public services.
- Reevaluate the 2013 tax plan and reinstate the progressive income tax so that the state tax system is fairer to working families.
- Rebuild what was lost during the Great Recession and its aftermath by making adequate investments in core public services, like public schools and public health.

### ♀ **Earned Income Tax Credit**

By Tazra Mitchell, NC Budget and Tax Center | [www.ncbtc.org](http://www.ncbtc.org)

The 2013 tax season marked the last time nearly one million working families in North Carolina claimed the state Earned Income Tax Credit (EITC), bringing pain to individual families and local economies. One year ago, North Carolina lawmakers put an end to the tax credit and subsequently pursued deep tax cuts that primarily benefit the wealthy and profitable businesses. The state EITC goes to families that work but earn low wages, and helps them keep more of what they earn so that they can stay in the workforce, support their children, and avoid poverty and public assistance.

The North Carolina EITC was a vital facet of the state's tax system, building off of the federal tax credit—one of the nation's most powerful anti-poverty tools for children. Combined with the income tax cuts, the loss of the state EITC is particularly backwards because the state's tax system *already* asked more from low- and middle-income families than it did from those earning the most. The resulting tax shift is neither true tax reform nor good for North Carolina's economy. There were problems with our state's tax code, but the EITC for low-wage workers was not one of them.

#### **State EITC is an Essential Tool Amidst Hard Times**

Lawmakers established the state EITC in 2007, in the middle of two economic downturns that occurred during the 2000s. That decade represented a lost decade for families in North Carolina who faced substantial job loss, spikes in poverty, a boom in low-wage work, and prolonged deterioration in household income. Several years later, working families continue to face high levels of economic hardship. The state EITC plays a critical role by providing a tax reduction to low-income workers, allowing them to keep more of what they earn.

North Carolina has grown primarily low-wage jobs since the official recovery began in 2009. More than 80 percent of jobs created pay below what it takes one worker with one child to make ends meet and 60 percent pay poverty-level wages. The lack of good, paying quality jobs is made worse with the loss of the EITC that is well targeted to low- and moderate-income families.

The state EITC is a refundable credit, which means that a taxpayer can reduce their income tax liability to zero and receive a refund based on the additional value of the credit. This refund helps to offset the disproportionate share of income that low-wage workers pay in total state and local taxes—not just income taxes—compared to their wealthy counterparts. The average credit was \$119 for tax year 2012.

#### ***The EITC is a proven anti-poverty tool and has lasting, positive effects on children***

The EITC is widely recognized as one of the most effective anti-poverty tools nationwide, especially for children. The federal EITC lifted approximately 298,000 North Carolinians—half of whom were children—above the federal poverty line between 2010 and 2012. Similar data is not available on the

state EITC, but, like the federal credit, the state credit helps low-wage workers pay for basic needs such as shelter, food, and utilities, as well as work-related costs such as transportation and child care. The state EITC builds upon the success of the federal credit and its loss could push more families into poverty at a time when North Carolina has the 10<sup>th</sup> highest poverty and child poverty rates in the nation.

**Recommendations for Action:**

- **Legislative Action Needed:** State lawmakers should reinstate the Earned Income Tax Credit during the Long Session that begins in January 2015.
- **Strong EITC and Minimum Wage Policies Go Hand-in-Hand:** In addition to reinstating the EITC, state lawmakers should increase the minimum wage. The combination of the two policies goes further toward meeting the goal of ensuring working families can meet the basic cost of living.

♀ **Quality, Affordable Early Childhood Education in North Carolina - The Child Care Subsidy Program**

By the WNC Early Childhood Coalition | [www.childrenfirstcisbc.org](http://www.childrenfirstcisbc.org)

One in four North Carolina children lives in poverty. Studies show that growing up with the chronic stress of poverty has long-term effects on their health and well-being. Research demonstrates that early intervention is an antidote.

For many families, safe, high quality, dependable child care is an unaffordable luxury without the financial aid of child care subsidies. At an average annual cost of care at \$8,868 for an infant and \$7,501 for a four year old, child care in North Carolina often costs more per year than tuition at State universities.<sup>59</sup> Child Care Subsidies (vouchers) provide low-income working parents access to stable quality child care and is a critical resource for our low income working families.

The list for children waiting to access this program varies according to the time of year. State-wide data trends with 36,058 children waiting on a voucher in August, 2013 and 20,162 children waiting on a voucher in February, 2014.

In order to be on the waiting list for child care vouchers, parents must qualify financially and be a full-time student or working at least 30 hours per week; work hours may vary by county policy. If they are unable to arrange stable and safe child care, they may lose their employment and their place on the waiting lists.

The eligibility requirements to qualify for a child care voucher were tightened in the latest short session of the legislature from 75% of State Median Income for children 0-12 years to 200% above Federal Poverty Level for children 0 – 5 years and 133% above FPL for children 6 -12 years. The fee for families required to share in the cost of care changed to a flat percentage of gross income without consideration for family size.

Another challenge is the complex, fragmented and fluctuating funding for child care subsidies. North Carolina has been a national leader in quality child care. However, in the last four years, we have seen substantial cuts to programs, with no sign that this trend will turn around. According to the statistics from the NC Division of Child Development and Early Education, approximately 75,000 children receive subsidized child care services in NC daily. Reading the historical data from the NC DCDEE, in 2008, approximately 100,000 children were receiving subsidized child care services in NC daily. Given the fact

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<sup>59</sup> Child Care Aware, Aug. 2013 <http://www.maccrra.org/about-child-care/cost-of-child-care>

that NC has such a large waiting list for subsidized child care, this reduction in the number of children serviced is tragic for young families and children in NC.

### **Why this issue is important to women and girls in NC**

According to the “Status of Women in North Carolina Report” (Aug. 2012), single mother households have the lowest median annual income in NC (\$20,393). That means that child care for an infant costs almost half of the median income for single mothers.

When mothers are unable to afford quality child care, they are faced with two untenable alternatives: place their child in the care of anyone who will keep him/her for what the parent can afford, stop working, or quit school. Many times mothers stitch together a patchwork quilt of care which often lacks stimulation for her child and, in too many instances, can be unsafe.

When a mother’s child is in such environments, anxiety can impact her mental health and her ability to perform well on the job or in school. When a child is in such environments s/he can miss out on the consistent, quality early care and education so critical in the first 2000 days of life and into the elementary school years.

If a mother of lower economic means is unable to work because of a lack of affordable child care, the stability of her family, often already teetering on the edge, can fall fully into the abyss of economic crisis. Trying to meet the basic needs of her family can become overwhelming and the resulting stress impacts the mental health of everyone in the family. Likewise, if a mother has to quit school for lack of affordable child care, hopes for a higher paying job and a brighter future for herself and her family are destroyed.

### ***Recommendations for Action:***

- Support issues of early education funding access and quality. The Champions for Children initiative is working to build a new corps of professional leaders who endorse the First 2000 Days to be effective advocates via in-person, web-based and social media training and resources. Become a Champion.
- Work with your local delegation requesting that they introduce or support a bill to undo the eligibility restrictions and new system for fee determination placed on families in the short session of 2014.

Work with your local delegation to require the NC Division of Child Development and Early Education to develop a more transparent, fair and sustainable allocations process (redesigning the market and allocations formulas).

### **♀ North Carolina’s Unconstitutional School Voucher Program**

By Christine Bischoff, Education & Law Project of the NC Justice Center | [www.ncjustice.org/education](http://www.ncjustice.org/education)

In 2013, the NC General Assembly put \$10 million toward a new school voucher program that gave public education funds to private schools. In August 2014, a Superior Court judge ruled the voucher program, called the Opportunity Scholarship, is unconstitutional.

### **Why School Vouchers are Unconstitutional**

- **Misuse of public funds:** Public education funds must be used exclusively to fund a uniform system of free public schools. Misappropriating those funds to private schools is unconstitutional.



- **The state’s responsibility:** The state has a constitutional obligation to provide all students with a “sound basic education.” State leaders can’t hand that responsibility off to private schools.
- **Lack of accountability:** Public schools are held to strict standards regarding curricula, testing, and teacher certification. But anyone can teach at a private school, and they can teach anything they want. There are no mandated academic standards or standardized testing. Plus, private schools are not responsible to the State Board of Education or any other public entity.
- **Permission to discriminate:** Private schools that discriminate against students on religious grounds are still able to participate in the voucher program.

In short, North Carolina must provide every student with a sound basic education through a system of free, uniform public schools. If lawmakers claim public schools are lacking in any way, it is their constitutional responsibility to fix them. Giving public money to private schools to educate a handful of students is a violation of the state constitution.

The NC Attorney General’s office is appealing the judge’s ruling that the voucher program is unconstitutional. Plus, the leaders of the NC House and Senate are using taxpayer dollars to pay private attorneys to defend the law as well. The case appears to be headed for the NC Supreme Court.

***Recommendations for Action:***

- Tell lawmakers they need to increase the state’s investments in public schools, rather than wasting needed funds on private school tuition.
- Ask lawmakers what strategies they support to improve public education in North Carolina.
- Point out that it’s a waste of taxpayer dollars for the state to pay two sets of lawyers—one in the Attorney General’s office and one in a private firm—to defend the voucher program in court.

♀ **Public School Funding and Teacher Pay**

By Chris Hill, NC Education & Law Project of the NC Justice Center | [www.ncjustice.org/education](http://www.ncjustice.org/education)

North Carolina’s constitution requires the state to provide a sound basic education to every student. But recent cuts to state education funding have put a quality education out of reach for many of North Carolina’s 1.5 million students. As a result, our children’s future opportunities and the state’s economic competitiveness are in jeopardy.

**Per-Student Spending is Down**

Since 2002, state per-student funding for education has dropped more than 14%, adjusted for inflation. The cuts have come from all areas of the education system:

- For the 2014-15 school year, state funding for North Carolina schools falls \$277 million short of what’s needed to provide students with the same services they received the year before.
- Since 2010, state leaders have cut \$145.9 million in funding for textbooks and classrooms supplies.
- The NC General Assembly cut funding for more than 7,800 teacher assistants over the past two years.

State leaders’ decision to provide large tax cuts to wealthy individuals and profitable corporations has severely undermined North Carolina’s ability to educate its children. This year, students started school



with fewer teacher assistants, fewer programs to help at-risk students, and fewer buses to get them to and from school safely and on time. And even more tax cuts for the wealthy are set to take effect in 2015.

### Pay Increases for Experienced Teachers are Minimal

There has been tremendous debate over how much of a pay raise North Carolina teachers received in the 2014 state budget. State legislative leaders claim they gave teachers an average raise of 7%. But that doesn't take into account longevity payments—bonuses to teachers who have worked in North Carolina schools for 10 years or more. The new pay schedule does away with those bonuses. As a result, the average teacher salary increase is more like 5.5%. But the *actual* increases vary significantly, with the biggest increases going to the newest teachers.

Here are some examples to illustrate how the new teacher pay schedule works.

Teacher Qualifications	Annual Salary under Prior Pay Structure	Annual Salary under New Pay Structure	Percent Difference
Bachelor's degree, 2 years teaching experience	\$30,800	\$33,000	7.1%
Master's degree, 5 years teaching experience	\$33,880	\$41,410	22.2%
Master's degree, 10 years teaching experience	\$39,971 (with longevity pay) <sup>1</sup>	\$45,260	13.2%
Master's degree, 14 years teaching experience	\$43,696 (with longevity pay) <sup>1</sup>	\$45,260	3.6%
Bachelor's degree, 30 years teaching experience	\$51,581 (with longevity pay) <sup>1</sup>	\$52,581 <sup>2</sup>	1.9%
Master's degree, 30 years teaching experience	\$55,594 (with longevity pay) <sup>1</sup>	\$56,260 <sup>2</sup>	1.2%

<sup>1</sup>Teachers who have been working in North Carolina for 10 years or more receive longevity payments, which increase every five years. A teacher who had ten years of experience in another state and then started working in North Carolina would not be eligible for a longevity payment. The new pay schedule does away with longevity payments.

<sup>2</sup>Salary for this teacher under new pay structure is \$50,000; however, a provision included within final budget will provide teachers with higher salary under the old pay structure along with an annual \$1,000 bonus.

Aside the from minute pay increases for the most experienced teachers, there are two significant reasons for concern about this new pay structure:

1. Under the new pay structure, the most experienced teachers would actually receive a pay cut. The only reason they won't this year is because the budget includes a provision that says if a teacher made more under the old structure, they get to keep that salary and receive a \$1,000 bonus. Why did lawmakers create a new pay structure and then choose to circumvent it? Will they eliminate that provision at some point, causing our most experienced teachers to see their paychecks cut? No one knows.
2. The state doesn't cover the full costs of the teacher salary increases. Instead, lawmakers passed that cost on to local school districts. That means schools will have to take money for other places—teacher assistants, school supplies, buses, support staff, etc.—to make up the difference.

### **Recommendations for Action:**

- Demand that the NC General Assembly make providing a quality education for every student the state's top priority. If the only way to make that happen is to roll back the 2013 tax cuts, then tell them to do it!
- Tell lawmakers that you respect teachers, and you expect the NC General Assembly to do the same. That means providing annual pay increases that cover the increases in the cost of living and acknowledge their years of experience.
- Explain to lawmakers that covering the costs of textbooks, classroom supplies, and an adequate number of well-maintained buses is not optional!

- ♀ **Education Funding and its Effect on NC Women**

- By Stephanie Lormand, NC MomsRising | [www.ncjustice.org/education](http://www.ncjustice.org/education)

Access to high quality K-12 public education is essential to achieving economic security for women and children. For each rung advanced on the education ladder (e.g., high school graduate, college graduate, etc.), an individual increases the likelihood of employment and higher earnings.<sup>60</sup> Higher levels of education also correspond to improved health and lower rates of mortality, and lower rates of crime.<sup>61</sup>

Education as a route to long-term economic security is particularly important for women. Nationally, more women than men live in poverty (14.5 percent versus 11 percent, respectively).<sup>62</sup> In 2013, 19.3 percent of North Carolina women lived in poverty, exceeding the national average. Programs that reduce the likelihood of poverty, like public education, would benefit NC women.

A first year teacher who began teaching in 2009 for \$30,400 is making \$30,880 after five years.<sup>63</sup> If that same teacher is a single mother with two children, her five years of teaching might qualify her for Medicaid.<sup>64</sup> This is a poignant reminder that even our children's teachers can be among the working poor.

The underfunding of NC's educational system impacts not only our teachers, but also the ability of NC children to escape poverty through education. We need to harmonize the voices of the women in NC—each of us, community leaders, professionals, mothers—has a vested interest in retaining the integrity of our future workforce via a stable public education.

If our economic future begins with a quality education, we need to have quality educators. The vast majority of educators in NC are women (79,024 women vs 20,074 men)<sup>65</sup>; the public education problem in NC is a woman's issue.

### **Underinvesting in NC's Public Education System**

Six years of reduced spending for public education with budget cuts totaling 563 million dollars (inflation

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<sup>60</sup> Grossman, Michael, 2006. "Education and Nonmarket Outcomes," Handbook of the Economics of Education, Elsevier.

<sup>61</sup> French, Lily, and Peter S. Fisher. 2009. "Education Pays in Iowa: The State's Return on Investment in Workforce Education." The Iowa Policy Project. Retrieved from: <http://www.iowapolicyproject.org/2009docs/090528-ROI-educ.pdf>

<sup>62</sup> Robbins, Katherine Gallagher and Frohlich, Lauren, (2014, September 08). "National Snapshot: Poverty Among Women & Families, 2012". Retrieved from: <http://www.nwlc.org/sites/default/files/pdfs/povertysnapshot2012.pdf>

<sup>63</sup> Imig, Scott Ph.D. & Smith, Robert, Ph.D., (2014, September 08). "Listening to Those on the Front Lines: North Carolina Teachers and Administrators Respond to State Legislative Changes". Retrieved from: <http://people.uncw.edu/imigs/documents/SmithImigReport.pdf>

<sup>64</sup> North Carolina ePASS (2014, September 08). Retrieved from: <https://epass.nc.gov/CitizenPortal/application.do#>

<sup>65</sup> State Board of Education, (2014, September 08). "Statistical Profile 2009". Retrieved from: <http://www.ncpublicschools.org/docs/fbs/resources/data/statisticalprofile/2009profile.pdf>

adjusted)<sup>66</sup> delivers a striking message from the General Assembly that NC teachers, and the 1.5 million K-12 students they educate, are irrelevant to the future economic success of the state.

This underinvestment can be seen in a half-decade of frozen teacher pay coinciding with classroom material and instructional supply budgets being slashed nearly in half, from 90.7 million (inflation adjusted) in 2009-2010 to only 50 million for the current school year.<sup>67</sup> It can be measured by a growing student population without textbooks, as the money allocated per student for textbooks has plummeted from \$67 to \$14. It can be measured by the state's adoption of new Common Core Standards, without funding a Common Core aligned curriculum.<sup>68</sup> In 2013, it resulted in the elimination of 5,200 teacher, and 3,850 teacher assistant positions. An additional 3,300 teacher assistant positions were cut in 2014.<sup>69</sup> The majority of these positions were filled by women.<sup>70</sup>

North Carolina spends less today on K-12 education than it did just 5 years ago, even though there are more students and even more needs that are going unmet.<sup>71</sup> In the 2013 legislative session, the General Assembly passed a tax reform plan that resulted in the unexpected loss of an estimated \$680 million in revenue. This loss is expected to continue, reaching \$5.3 billion over the next five years.<sup>72</sup> As the revenue losses continue to mount, it is likely that education, which makes up 37% of the state budget, will face even steeper cuts.<sup>73</sup> These cuts will be made easier by a provision included in the most recent budget that will no longer automatically tie state funding to student enrollment, but places more discretion for funding in the hands of lawmakers.<sup>74</sup>

### **Where do we go from here?**

If the General Assembly continues to devalue the importance of public educators, NC citizens face a potential negative impact beyond just individual student success and teacher retention. We risk the future economic growth of the entire state.

In 2013, the four-year high school graduation rate was 80.4%, the highest level in state history.<sup>75</sup> Those graduating seniors entered pre-k/kindergarten somewhere in the 2000-2001 year range, before a stagnating economy stifled teacher salaries, before the eroding cuts to the pre-k programs that served children at-risk. What will those graduation rates be for the students starting school in 2013? And where will North Carolina be when they graduate in 2026?

### **Recommendations for Action:**

- Repeal the tax reform package of 2013 to restore revenue funding for core investments in public

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<sup>66</sup> Johnson, Cedric and Ellinwood, Matt, (2014, September 08). "NC JUSTICE CENTER REPORT: Smart Money - Investing in Student Achievement". Retrieved from: <http://www.ncjustice.org/?q=education/nc-justice-center-report-smart-money-investing-student-achievement>

<sup>67</sup> Progress NC Action (2014 September, 09) "Despite Cuts and School Supplies Shortage, Teachers Work To Make Due". Retrieved from: <http://www.progressncaction.org/news/despite-cuts-school-supplies-shortage-teachers-work-to-make-due>

<sup>68</sup> North Carolina Association of Educators, (2014, September 08). "2013 Legislative Update". Retrieved from: <http://www.ncae.org/wp-content/uploads/LegislativeUpdate2013.pdf>

<sup>69</sup> Public Schools First NC. "Quick Facts: 2013-1015 State Budget Impact".

<sup>70</sup> State Board of Education, (2014, September 08). "Statistical Profile 2009". Retrieved from: <http://www.ncpublicschools.org/docs/fbs/resources/data/statisticalprofile/2009profile.pdf>

<sup>71</sup> Together NC, (2013 September). "Every Child Deserves a Quality Education: 2013-2015 Budget Doesn't Meet the Mark". Retrieved from: <http://www.ncjustice.org/sites/default/files/2013-2015%20budget%20doesnt%20meet%20the%20mark.REV.pdf>

<sup>72</sup> Slivka, Brian (2014, September 09) "Updated Personal Income Tax Projections" Retrieved from: <http://www.wral.com/asset/news/state/nccapitol/2014/07/25/13841486/Individual-Income-Tax-Request-Sen-Stein.pdf>

<sup>73</sup> Mitchell, Tazra and Moodie-Dyer, Amber (2014, August 22). "Budget and Tax Center: Post-Session Briefing on the New Budget: What It Means for Economic Prosperity and What You Can Do About It".

<sup>74</sup> Ujifusa, Andrew, (2014, August 7). "Enrollment Hikes Won't Guarantee More State Aid in New NC Budget." Retrieved from: [http://blogs.edweek.org/edweek/state\\_edwatch/2014/08/enrollment\\_hikes\\_wont\\_guarantee.html](http://blogs.edweek.org/edweek/state_edwatch/2014/08/enrollment_hikes_wont_guarantee.html)

<sup>75</sup> North Carolina Department of Public Instruction, (2014, September 08). "2014 NC HIGH SCHOOL GRADUATION RATE HIGHEST IN STATE HISTORY". Retrieved from: <http://www.ncpublicschools.org/newsroom/news/2014-15/20140904-01>

education and early learning.

- Increase the K-12 education budget by at least 8.3 percent to 2008's pre-recession level.
- Restore the budget provision, eliminated in 2014, that automatically ties public education funding to public school enrollment growth.
- Improve teacher morale and retention by providing raises that bring all teachers closer to the national average for their years of service, and also by reinstating their career status, and advanced degree supplements.