



***NEW YORK WOMEN MAKE PROGRESS HAPPEN***  
2020 WOMEN'S AGENDA END OF SESSION REPORT  
August 26, 2020

When Governor Andrew M. Cuomo laid out a bold and progressive agenda in the 2020 State of the State address in January, we had no conception of the unprecedented challenge we would soon face as a state and a nation. Despite the difficulties of the COVID-19 crisis, the Governor continued to move his 2020 Women's Agenda forward, passing groundbreaking policies like paid sick leave, a ban on the so-called pink tax, and new laws that make it easier for law enforcement to remove guns from a domestic violence situation. The tenacity of New York women and the Governor's commitment to gender equity keeps these issues at the top of the agenda.

As New York marks the 100<sup>th</sup> anniversary of the 19<sup>th</sup> Amendment and Women's Equality Day, we can reflect and be proud of the bold steps taken toward delivering justice to domestic violence survivors, closing the pay gap, improving access to maternal healthcare, and ensuring true gender equality for all. Read on for the full picture of everything accomplished for women this year. Together, we will continue to make New York a model of equity and opportunity for the nation to follow.

## **COVID-19 CRISIS MANAGEMENT**

### **COVID-19 MATERNITY TASK FORCE**

In April 2020, Secretary to the Governor Melissa DeRosa and the New York State Council on Women and Girls announced the creation of a COVID-19 maternity task force to examine the best approach to authorizing and certifying additional dedicated birthing centers in an effort to support pregnant people and reduce the patient load in stressed hospitals amid the ongoing coronavirus pandemic. Before convening the task force, the Governor signed an executive order guaranteeing individuals in labor the right to have a healthy partner, friend or family member with them during childbirth, and reiterated his commitment to ensuring all pregnant and parenting people in New York have a safe and respectful experience during labor and delivery.

The task force, comprised of obstetrical providers, pediatric care providers and maternal health advocates, worked with the State Department of Health to develop a report of initial recommendations, which the Governor accepted in full. The recommendations included measures to diversify birthing site options and support patient choice; extend the period of time a healthy support person can accompany a mother post-delivery; mandate testing of all pregnant New Yorkers; ensure equity in birthing options; create an educational campaign; and review the impact of COVID-19 on pregnancy and newborns with special emphasis on reducing racial disparities in maternal mortality. [The task force's full report is available here.](#)

Based on those recommendations, the Governor directed the State Department of Health to develop a streamlined process to accept applications from licensed healthcare facilities, such as community health centers and federally qualified health centers, to convert unused space in their facility to dedicated labor and delivery spaces during an emergency. Two new temporary birthing centers, Brooklyn Birthing Center in Brooklyn, NY and Refuah Health Center in Valhalla, NY, have already been approved through that process.

### **COVID-19 DOMESTIC VIOLENCE TASK FORCE**

Following a spike in domestic violence during the COVID-19 pandemic, Secretary to the Governor Melissa DeRosa and the New York State Council on Women and Girls announced in May 2020 the creation of a new task force to find innovative solutions to this crisis. The task force was charged with identifying solutions to help domestic violence survivors, with the specific goal of looking beyond the traditional ways that services have been provided in the

past. Secretary DeRosa delivered a report to Governor Cuomo outlining the initial recommendations to reimagine New York's approach to services for domestic violence survivors. Governor Cuomo accepted these recommendations in full and directed the Office for the Prevention of Domestic Violence, along with the Office of Children and Family Services, the Office of Temporary and Disability Assistance, the Office of Victim Services, the Division of Criminal Justice Services and the Department of Health, to use the recommendations to create a new model of domestic violence service delivery in New York State.

The recommendations identified by the task force recognize that the needs of domestic violence survivors vary greatly and there are different tools needed to allow each survivor maximum control over their situation including: mobile advocacy, flexible funding and housing choice. The recommendations offered by the task force are ready to be quickly implemented, cutting red tape and prioritizing cultural competency to better meet survivors where they are, give them what they need, and set a foundation for continued innovation.

Additionally, on June 18th, 2020, Governor Cuomo issued Executive Order 202.43, which expanded domestic violence survivors' access to victim compensation and eased administrative burdens for these claims during the disaster emergency.

[The task force's full report is available here.](#)

## **2020 VICTORIES FOR WOMEN AND GIRLS**

### **SICK LEAVE FOR WORKING NEW YORKERS**

In a time when paid sick leave is more important than ever, Governor Cuomo signed into law a new statewide paid sick leave mandate. Paid sick leave has been a vital issue for women, allowing them to both care for their own health and that of their families without fear of losing a paycheck. Women of color in particular are overrepresented in low-wage industries where workers have no paid sick days and often are fired or not paid for absence.

Under the new policy, businesses with five to 99 employees or businesses with four or fewer employees with a net business income greater than \$1 million must provide their employees at least five days of job-protected paid sick leave per year and businesses with 100 employees or more must provide at least seven days of paid sick leave per year. Smaller businesses, with four or fewer employees and a net business income of \$1 million or less, must guarantee five days of job-protected unpaid sick leave to their employees every year. Small businesses already providing paid sick leave will be able to so. Additionally, the paid sick leave provision includes "safe time," paid leave for individuals obtaining services from a domestic violence shelter, rape crisis center, or other service intended to support victims of domestic violence, human trafficking, sexual offenses, and stalking.

### **ELIMINATION OF GENDER-BASED PRICING DISCRIMINATION**

The "Pink Tax" is now illegal in New York. A 2015 study looking at the prices of toys, clothing, personal care products and home health products found that on average, women's merchandise cost 7 percent more than similar items for men, with personal care products for women found to be priced 13 percent higher than men's products. These cost differences have lasting consequences. The state of California commissioned a study on this issue in 1995 and found that women spend an average of \$1,351 more annually as a result of gender-based

pricing discrimination. Women will spend thousands more throughout the course of their lifetimes than men to get similar products. The higher costs disproportionately impact female disposable incomes and savings. The gender wage gap, which hinders female economic growth and falls more heavily on women of color, is only exacerbated by these price disparities.

Gender-based pricing discrimination for substantially similar or like kind goods and services has been prohibited by law, and businesses that violate the law will be subject to civil penalties.

## **LEGALIZATION OF GESTATIONAL SURROGACY**

Governor Cuomo legalized gestational surrogacy in New York, making it possible for LGBTQ couples, cancer survivors, single people, and couples struggling with infertility to fulfill their dreams of becoming parents and build their families in New York. The legislation establishes criteria for surrogacy contracts that provide the strongest protections in the nation for parents and women acting as surrogates, ensuring all parties provide informed consent at every step of the process. The new Surrogates' Bill of Rights, ensures the unfettered right of surrogates to make their own healthcare decisions, including whether to terminate or continue a pregnancy and that surrogates have access to comprehensive health insurance and independent legal counsel of their choosing, all paid for by the intended parents. The passed legislation also creates a streamlined process for establishing parenthood when one of the individuals is a non-biological parent, a process known as "second parent adoption."

## **PROTECTION OF FAMILY PLANNING AND REPRODUCTIVE HEALTH SERVICES**

The New York State Comprehensive Family Planning and Reproductive Health Program (FPP) delivers high-quality comprehensive family planning and reproductive health services to 300,000 low-income, uninsured and underinsured individuals annually. Federal and state funding historically supported the FPP. However, New York State can no longer accept federal funding to support the program due to changes in federal regulations implemented in July 2019. These regulations prohibit the FPP from funding organizations that provide abortion and related services and prohibit providers from giving full information to pregnant patients about their options. The Trump Administration's unnecessary, unethical and potentially illegal rules for the Title X program undercut the very purpose of the funding. Governor Cuomo is committed to pursuing all available avenues to fight these harmful proposed rules and protect New York's program from attack.

To help ensure New York's values are reflected in the reproductive healthcare its residents can access, this year New York State launched an exclusively state funded family planning program building on national best practices. This state funded program helps ensure the continued availability of family planning services and a stable provider network and enable New York State to continue to provide the highest quality family planning care in the nation.

## **PAY EQUITY AT STATE AND LOCAL AUTHORITIES**

Governor Cuomo's efforts to achieve pay equity in the state have made New York a leader in this field, with the narrowest gender pay gap in the nation. Building on last year's groundbreaking equal pay legislation the Governor passed a law mandating equal pay for similar or substantially similar work at all state and local authorities as part of the FY 2021 Budget. The Governor and the New York State Authorities Budget Office also announced a

benchmark survey to collect reporting from all authorities on their current pay scales in relation to gender in order to ensure compliance with the Pay Equity Law among state and local authorities. The survey will collect information about the types of employment taking place at state and local authorities, whether there are gaps in pay scales relating to gender and what actions the authorities will take to ensure compliance.

## **REMOVAL OF GUNS FROM DOMESTIC ABUSERS**

Governor Cuomo passed a law in the FY2021 budget authorizing law enforcement to remove guns from the scene of a domestic violence incident, and also establishes a domestic violence misdemeanor to ensure abusers lose access to firearms immediately upon conviction. Law enforcement officers are also authorized to seize weapons from the home of an individual who becomes subject to a protective order arising out of a domestic dispute.

The budget also included legislation to prohibit individuals from obtaining a gun license who commit serious offenses out-of-state that would disqualify them from obtaining a gun license if committed in New York. This will provide greater consistency in New York's licensing scheme and ensure individuals who are prohibited from purchasing a firearm are not able to do so.

## **ESTABLISHMENT OF EQUITABLE DISTRIBUTION OF ASSETS IN DIVORCE PROCEEDINGS**

Victims of domestic violence often experience economic instability resulting from their abuse. According to the Center for Disease Control and Prevention, female victims of domestic violence lost an average of \$103,767 due to medical expenses, negative effects on productivity and criminal justice costs. Male victims lose an average of \$23,414 over the course of their life because of domestic violence. For victims of domestic violence who may have been physically, emotionally, psychologically or economically harmed because of the power and control of domestic violence, this can result in a distribution that is anything but “equitable.”

Under a new law signed by the Governor, judges must consider domestic violence and its impact while determining equitable distribution of marital property, which will help victims remain financially secure after leaving their abuser.

## **CREATION OF THE WOMEN'S CORPORATE LEADERSHIP ACADEMY**

The Governor established the Women's Corporate Leadership Academy, a program of SUNY Empire State College, to prepare women for executive and board positions, and to work with organizations across New York State to improve their gender representation.

The Academy at SUNY Empire will focus on the development of women leaders and explore issues such as communication, provide networking opportunities, and explore professional self-promotion strategies. The training is designed to address the challenges women and underrepresented individuals face in advancing to executive and board positions. The Academy will launch in the fall of 2020 with a 15-week online micro-credential course, additional non-credit courses, virtual lecture series, and weekend residencies.

## **WORK UNDERWAY**

### **ECONOMIC AND WORKFORCE EQUITY**

Governor Cuomo recognizes that women are often denied economic security and opportunities in the workplace, and is committed to developing innovative programs designed to increase access to career and economic opportunities for women in New York.

To support students and young people of color, the Council on Women and Girls and the Department of Financial Services launched a statewide initiative with Girls United by Essence Communications to address the impact of the student debt crisis experienced by women of color in New York State. At a roundtable event at University at Buffalo in March and a virtual panel hosted by Essence in July, Black student leaders and experts in student debt spoke to the disproportionate impact of the student debt crisis. These events, in addition to raising awareness, are designed to ensure student borrowers know their rights and the resources available to them to finance their education, as well as inform the development of a robust policy agenda that will leverage resources across state government to address this critical issue.

Last year, the Governor signed legislation that requires the New York State Department of State and the Department of Taxation and Finance to conduct a study of female representation on corporate boards. The agencies are analyzing the number of women who currently serve on the boards of directors of all domestic and foreign corporations in the state. The data will provide a comprehensive understanding of the issue that will guide policy decisions designed to address these inequities. This report is the next step in ensuring that New York is on track to eliminate the gender wage gap and to provide truly equal workplace opportunities to women.

Secretary to the Governor Melissa DeRosa and Financial Services Superintendent Linda A. Lacewell convened the Committee for the Advancement of Women in Leadership in Financial Services, a new subcommittee of the Governor's Council on Women and Girls in October. The Committee is tasked with promoting women's leadership in the financial services sector, and will also focus on increasing representation of women of color in financial services leadership roles. The inaugural meeting of the committee took place on January 24th, 2020 and is continuing its work to find innovative ways to support women leaders in financial services and identify the barriers that women face in the industry.

### **TRANSFORMING OUR RESPONSE TO DOMESTIC VIOLENCE**

While New York has historically focused on the provision of emergency shelter as an immediate response, there is a critical need to create additional innovative options to better address immediate and long-term service and housing needs of survivors. New approaches must increase the capacity of domestic violence service providers to leverage housing resources, to better tailor service needs to each individual survivor and to permit opportunities for them to safely remain in their existing housing and/or community. New York State funding and reporting requirements must provide a more flexible service model and reduce the burdens on local service providers.

Based on the recommendations of experts in the field and advocates on the ground, Governor Cuomo directed the Office for the Prevention of Domestic Violence, and all agencies providing services to domestic violence survivors, to implement an innovative, survivor-centered service delivery system. This system transformation must reduce the barriers and challenges to

domestic violence service provision in New York State by providing a comprehensive flexible-funding model to support a continuum of services based on each survivor's needs. The model also supports survivors by enhancing systemic responses that hold abusers accountable and decrease their levels of lethality.

Among the programs already underway are a new 24/7 text and chatline for those experiencing domestic and sexual violence, a housing navigator pilot to enhance housing options for survivors, the creation of a statewide data collection system, new training and resources for those working with incarcerated populations and immigrants, a listening tour to speak directly with survivors regarding their needs, and enhanced communication regarding shelter availability.

## **ADDRESSING MATERNAL MORTALITY**

Racial and ethnic disparities in maternal health outcomes remain an urgent public health issue across New York State. Governor Cuomo is committed to improving women's healthcare and reducing maternal mortality in New York State. In April 2018, Governor Cuomo announced a comprehensive effort to target maternal mortality and morbidity. As part of this initiative, the Task Force on Maternal Mortality and Disparate Racial Outcomes convened to outline recommendations to improve maternal health and eliminate racial disparities in outcomes. In August 2019 Governor Cuomo signed legislation creating a Maternal Mortality Review Board and a Maternal Mortality Advisory Committee. In both FY 2020 and 2021, the Governor invested \$8 million to support their activities as well as expand and enhance Community Health Worker services across the state, implement implicit bias training and post-birth training for medical providers, and create a comprehensive perinatal data warehouse to increase timely access to maternal health data for Regional Perinatal Centers and birthing hospitals and support targeted quality improvement efforts by the State, hospital and healthcare providers

An ongoing commitment to this work will ensure that structural and institutional changes in healthcare systems can occur, disrupting systemic racism and creating a safer birth experience for mothers and families across New York State.

## **SUPPORTING YOUNG WOMEN**

Throughout his time in office, Governor Cuomo has been dedicated to improving the health and well being of New York State's youth.

Building on that commitment, Governor Cuomo will launch the "Every Body Loved" campaign. This statewide campaign will enlist the support of social media influencers across New York State to help promote body positivity. The Governor will also convene the major social media companies to discuss ways to make social media a safer space for young people. Lastly, Governor Cuomo will direct the New York State Department of Health to work with their adolescent Center for Community Action to ensure the programs they support are being implemented through a body positive lens.

The Governor, who has annually recognized Teen Dating Month each February, also directed the Office for the Prevention of Domestic Violence to develop and implement a robust training and technical assistance program to address teen dating abuse. The program will focus on at-risk youths and teens in the care of the Division of Juvenile Justice and Opportunities for Youth (DJJOY) and the Community Multi-Services Offices that DJJOY works with to transition youths from residential placement back into their communities. Last year alone, these offices served

over 400 of these at-risk youths and provided them with services and resources designed to help them achieve long-term stability and success. The Office for the Prevention of Domestic Violence will expand current teen dating abuse efforts by developing training, technical assistance and resources or publications for these professionals who work with teens. This effort will help ensure that teens going through difficult times in their lives will have resources and support in preventing and responding to dating violence.

### ***LOOKING TO THE FUTURE***

As New York builds back better, Governor Cuomo will continue to find new and innovative ways to address the impact of the COVID-19 pandemic on New York women and Girls, preserve the gains made so far, and further advance gender equity. The Governor will continue to fight for an inclusive Equal Rights Amendment, stronger protections for survivors of gender-based violence, and progressive, real world solutions that serve New York women and families.