

Executive Summary

Across the country, people are coming together to make communities healthier, safer, and more economically vital for all of us, no matter our race or gender, income, or place of origin. But increasingly, corporations and right-wing state legislators are successfully driving preemption bills that make it harder for women and women of color in particular to work with their local governments to build communities that work for them and their families.

State interference cuts off a critical avenue for women and people of color to win equitable policies around paid sick days, wages, and affordable housing.

Each of these policy arenas has outsized influence over the day-to-day experiences of women, due to historical, structural, and cultural factors. Women, and women of color in particular, are overrepresented in low-wage work, in part because they are more likely to do service and care work historically undervalued as “women’s work.” Additionally, employers discriminate against women, paying white women on average 80 cents for every dollar they pay white men, and paying women of color even less.

Nationally, about one-third of private sector workers do not have access to paid sick days. The majority of people without paid sick days are low wage workers, and of those workers, women are more likely than men to work without paid sick days.¹ Given that women in the U.S. continue to do more unpaid care work than men — about 57 percent more on average² — when employers force workers to take unpaid time to care for sick children or elders, they are in effect discriminating against women.

The rent burden for women of color is steepest. Nationally, close to two-thirds (61 percent) of women of color pay more than 30 percent of their income on housing.³ Black and Latino households are more likely to rent than are white households, owing to the legacy of redlining, ongoing discrimination and economic inequality, and the subprime mortgage crisis in which banks targeted Black and brown communities. Landlords discriminate against women of color when choosing to whom to rent, and are more likely to evict women of color living in poverty, and Black women in particular, than other tenants.⁴ Women who have suffered intimate partner violence also face housing discrimination, despite federal law that should protect them. Greater housing stability via rent regulation and robust renters rights for everyone is an essential strategy in addressing the inequities women face in housing.

A closer look at what’s happening in four different states reveals how widespread and troubling this type of state interference is:



Colorado: For years, people have been working together in communities like Denver and Westminster to make sure the homes where they raise their families remain affordable. But a network of corporate landlords have leaned on state lawmakers to establish infinite rights to raise rents, blocking the communities’ efforts and jeopardizing the well-being of people who rent — especially women, who struggle most to make ends meet. Of Colorado’s female-headed households, the majority rent their homes, and one in four experience

¹ “Working Women Need Paid Sick Days,” National Partnership for Women and Families, April 2013, <http://www.nationalpartnership.org/our-work/resources/workplace/paid-sick-days/working-women-need-paid-sick-days.pdf>.

² Care Work and Care Jobs: The Future of Decent Work. International Labour Organization, 2018. Pp. 44-45. https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_633135.pdf. Women in the US do an average of 264 minutes (4.4 hours) of unpaid care work per day, compared with 168 by men (2.8 hours).

³ “When Renters Rise, Cities Thrive,” National Equity Atlas, accessed March 2, 2019, <https://nationalequityatlas.org/sites/default/files/National-Fact-Sheet.pdf>

⁴ Gonzalez, Catherine Lizette. “STUDY: Women of Color Living in Poverty Face Highest Risk of Eviction,” Colorlines. April 9, 2018. <https://www.colorlines.com/articles/study-women-color-living-poverty-face-highest-risk-eviction>. Desmond, Matthew. “Poor Black Women are Evicted at Alarming Rates, Setting Off Chain of Hardship,” How Housing Matters. MacArthur Foundation. March 2014. https://www.macfound.org/media/files/HHM_-_Poor_Black_Women_Are_Evicted_at_Alarming_Rates.pdf.

wage theft and other injustices that force them to live in poverty. The majority of women in Metro Denver are burdened by unaffordable rent, while nearly two-thirds of Black women in Denver are housing cost burdened.



Louisiana: The people of New Orleans have long fought to ensure employers pay wages that represent a fair return on their work, and the right to take time off of work to deal with an illness or care for a family member. This advocacy is especially vital given that Louisiana has the nation's largest gender pay gap — employers in Louisiana choose to pay women only two-thirds of what they pay men — 66 cents for every dollar a man earns — on average. That is dramatically worse than the national gender pay gap. At the state level, lawmakers have blocked local efforts to establish a minimum wage and paid leave, denying critical protections for working people in New Orleans.



Pennsylvania: In 2015, the people of Pittsburgh passed a groundbreaking ordinance to ensure that people who worked the city's lowest paid jobs, including restaurant and hotel workers, could take time to rest and heal when they got sick. This victory created new protections for nearly 50,000 people, most of whom are women and people of color. In an action that would protect the corporate bottom line and force people to work through illness, corporate interests sued the city under a state preemption law. The case is still before the state supreme court and Pittsburgh's paid sick leave ordinance is currently on hold.



Tennessee: The people of Tennessee are up against one of the most formidable preemption landscapes in the country. Residents of Nashville have come together to advocate for local hire requirements, a civilian police oversight board, paid sick leave, and living wages many times over the last decade, but a handful of state legislators have preempted nearly all local policies that would make housing more affordable and jobs more fairly compensated. As a result, most women of color in Nashville are forced to spend an unsustainable portion of their incomes on rent just to keep a roof above their heads in the city they call home.

While local victories for our communities are often engineered and won by women and people of color on behalf of all of us, the state laws that suppress these policies are nearly always enacted by overwhelmingly male, overwhelmingly white legislatures. Nationally, state legislatures are 83 percent white and 71 percent male.⁵ Ultimately, our task is to undo harmful state preemption laws in order to ensure that our communities are thriving and our jobs are humane, especially for women and people of color who are often the first to be exploited for profit.

Often, as state legislatures prevent local governments from enacting regulation that would correct these structural gender and racial inequities, they simultaneously refuse to enact such legislation at the state level as well. In this way, legislatures are helping corporate actors ensure that these inequities become even more pronounced. This not only creates hardship for women individually, but adds barriers to women and people of color from participating fully in our democracy and society.

⁵ "Legislatures at a Glance," National Conference of State Legislatures, accessed March 2, 2019, <http://www.ncsl.org/research/about-state-legislatures/legislatures-at-a-glance.aspx>