



MISSISSIPPI WOMEN DRIVING CHANGE

A PATHWAY TO A BETTER MISSISSIPPI

NATIONAL WOMEN'S LAW CENTER AND THE MISSISSIPPI BLACK WOMEN'S ROUNDTABLE

ACKNOWLEDGEMENTS & METHODOLOGY



About the Mississippi Black Women's Roundtable

The Mississippi Black Women's Roundtable (MS BWR) is an intergenerational statewide network dedicated to increasing civic engagement and voter participation among the Black community with special emphasis on championing equitable public policy on behalf of Black women and girls in Mississippi. MS BWR works to secure racial and gender equity and justice for Black women and girls, support long-term movement building and create a leadership infrastructure to facilitate the shifting of power by tackling longstanding inequities in Mississippi through civic engagement. The MS BWR is an affiliate of the National Coalition on Black Civic Participation/Black Women's Roundtable.



About the National Women's Law Center

The National Women's Law Center fights for gender justice—in the courts, in public policy, and in our society—working across the issues that are central to the lives of women and girls. NWLC uses the law in all its forms to change culture and drive solutions to the gender inequity that shapes our society and to break down the barriers that harm all of us—especially those who face multiple forms of discrimination, including women of color, LGBTQ people, and low-income women and families. For more than 45 years, NWLC has been on the leading edge of every major legal and policy victory for women.

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Methodology

This resource grows out of the work of the Mississippi Women's Economic Security Initiative (MWESI), a groundbreaking effort founded in 2014 that was the first comprehensive and intersectional campaign of its kind launched in the South. MWESI prioritizes economic security with an explicit racial and gender platform, engaging women, particularly women of color, with deep connections to grassroots organizing in urban and rural Mississippi to create a leadership infrastructure. MWESI began as a project of the Mississippi Low Income Child Care Initiative (MLICCI) and in 2018 became a project of the Mississippi Black Women's Roundtable.

In the fall of 2016, MWESI hosted a series of town halls across Mississippi to give women an opportunity to be heard about issues impacting their lives. Through collaborations with several community organizations, MWESI met with women in libraries, church halls, and community centers. Women shared their thoughts on what they needed to improve their economic security, including access to child care, livable wages, sufficient health care, stronger protections against domestic violence and sexual assault, and better educational and job opportunities. Their feedback helped MWESI build a meaningful advocacy agenda for Mississippi women and ensured that they would have a voice in the policy-making process. This resource grows out of those conversations.

(Specific recommendations regarding domestic violence and sexual assault will be forthcoming in a separate report by the Mississippi Black Women's Roundtable.)

EVERYONE SHOULD BE ABLE TO EARN A DECENT LIVING AND CARE FOR THEIR FAMILIES.

Yet, too many Mississippi women—and
especially Black women —are struggling
to make ends meet because they are
being shortchanged at work.



WOMEN DRIVING CHANGE

A PATHWAY TO A BETTER MISSISSIPPI

Women and girls in Mississippi have made significant strides in the past few decades; they are pursuing higher education in larger numbers than before and make up nearly half the overall workforce.¹ Black women, in particular, have seen the largest employment increase in the state over the past decade.² But this hard work does not always pay off.

Women and girls in Mississippi face laws, public policies, workplaces, and schools that place barriers to success at every turn. As a result, Mississippi's women and girls – especially Black women and girls – struggle to earn fair wages, lack access to adequate healthcare – including reproductive health care – and struggle to obtain affordable and high-quality child care. These barriers not only hold women and girls back, they undercut Mississippi families, businesses, and the entire state economy.

Women are the economic drivers of Mississippi families and their communities. Nearly three-quarters of Mississippi mothers are primary or co-breadwinners—one of the highest rates in the country.³ Black mothers are most likely to be the primary economic support for their families—8 out of 10 Black mothers in Mississippi are breadwinners.⁴

Despite women serving as the backbone of Mississippi's economy, Mississippi leaders have long embraced policies that create major economic security gaps for women and girls—especially Black women and girls. Mississippi ranks

as one of the most impoverished states in the nation,⁵ with women and children being disproportionately harmed. The lack of willpower to address these deficits is deeply rooted in racial and gender biases that seek to keep women and girls, and especially Black women and girls, under-resourced and marginalized.

But Mississippi women and girls are not accepting the status quo; they are driving change. They are meeting across the state—in libraries, church halls, community centers, and the state legislature—to push for everyone to have real opportunities to thrive unbound by unfair and discriminatory practices and antiquated laws and attitudes. Black women, who live at the intersection of these racial and gender biases, have long been at the center of movements to overhaul the state's discriminatory laws and policies.

This report comes out of that organizing and sets out a forward-thinking agenda that puts Mississippi's women and girls on the pathway to achieving gender equity and justice.

Over a 40-year career, a Black woman in Mississippi stands to lose \$849,480 to the wage gap.

A single mother earning the median income (\$26,305) has to spend nearly forty percent of her income to pay for center child care for an infant and a four-year-old.

Black girls in Mississippi make up about half of all female students, but two-thirds of girls referred to law enforcement and almost two-thirds of girls who experienced a school-related arrest.

91 percent of Mississippi women live in counties without an abortion clinic.



KEY FINDINGS

Mississippi women are economic drivers for their families and the broader Mississippi economy. And yet, Mississippi’s laws, public policies, workplaces, and schools place barrier after barrier in the way of women and girls succeeding and thriving.

As a result, Mississippi has the highest poverty rate in the country for women overall (20 percent, compared to 12 percent nationally).⁶ For Black women who live at the intersection of race and sex biases, the poverty rate in Mississippi (36.2 percent) is nearly three times the rate for white women (13.3 percent).⁷ And Mississippi families headed by single mothers face the worst poverty rate in the state and one of the highest poverty rates in the country (46 percent, compared to 35 percent nationally).⁸

These barriers are not only holding women back; they are holding back Mississippi families, businesses, and the entire state economy. But it doesn’t have to be that way. For example, if women in Mississippi received equal pay with comparable men, poverty for working women would be cut by more than half, the poverty rate among children with working mothers would be reduced by one-third, and the Mississippi economy would add \$4.15 billion in wage and salary income (equivalent to 3.9 percent of 2016 GDP).⁹

SUMMARY OF FINDINGS

1 WOMEN ARE CLUSTERED INTO LOW PAYING JOBS AND BLOCKED FROM HIGHER-PAYING JOBS.



49%

Mississippi women make up about 49 percent of the overall workforce, **YET THEY MAKE UP**

\$7.25

Nearly two-thirds of workers being paid the minimum wage of only \$7.25/hr.¹⁵

+70%

More than 70 percent of those working in tipped jobs.¹⁶

7/10

More than seven in 10 workers in low wage jobs that typically pay \$11.50/hour or less.¹⁷



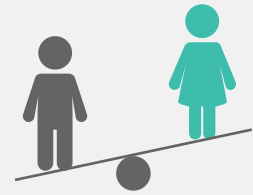
Black women are the largest group of women working in low wage jobs.¹⁸

2

WOMEN ARE BEING SHORTCHANGED BY THE WAGE GAP.

Black women working full-time, year-round in Mississippi **are typically paid just 56 cents for every dollar paid to white, non-Hispanic men.**¹⁰ These gaps persist across education levels and occupation. Black women in Mississippi typically have to earn a professional degree beyond a bachelor's degree to make slightly more than white, non-Hispanic men with an associate's degree.¹¹

Other women of color also face large wage gaps in the state. For every dollar paid to white, non-Hispanic men: **Latinas are typically paid just 63 cents, Native women just 59 cents, and Asian women just 65 cents.**¹²



Over a 40-year career, a Black woman in Mississippi stands to lose \$849,480 to the wage gap.

That means that the typical Black woman starting work at age 20 would have to work until the age of 91 to catch up to white, non-Hispanic men's career earnings by age 60.¹⁴

\$.75

White, non-Hispanic women are typically paid 75 cents on the dollar compared to their male counterparts.¹³

3

WOMEN, ESPECIALLY BLACK WOMEN, ARE BEING HELD BACK BY WORKPLACE HARASSMENT.

EEOC charge data indicate that Black women are disproportionately likely to experience sexual harassment at work. Between 2012 and 2016, **Black women filed nearly 3 times as many sexual harassment charges** as white, non-Hispanic women.¹⁹



4

WOMEN ARE STRUGGLING TO ACCESS AFFORDABLE, HIGH QUALITY CHILD CARE

A single mother in Mississippi earning the median income (\$26,305) would have to pay nearly forty percent of her income to pay for center care for an infant and a four-year-old.²³ Only 10.8 percent of Mississippi children eligible for child care assistance under federal law receive it.²⁴

40% OF INCOME



5

WORKING FAMILIES ARE BEING FORCED TO CHOOSE BETWEEN THEIR JOB AND THEIR HEALTH AND FAMILY.

Many Mississippi mothers—and **Black mothers and single mothers in particular**—are working in low wage jobs without access to pregnancy accommodations, fair schedules, paid family and medical leave, paid sick days, or sufficient pay to afford child care.

1/4
WORKING MOTHERS



1 in 4 working mothers with very young children (ages 0 to 3) are in the low wage workforce—one of the highest percentages in the country.²⁰

1/3
WORKING BLACK MOTHERS



Over one-third of working Black mothers of very young children are working in the low-wage workforce.²¹



NEARLY ONE IN THREE WORKING SINGLE MOTHERS WORK IN LOW WAGE JOBS.²²

6

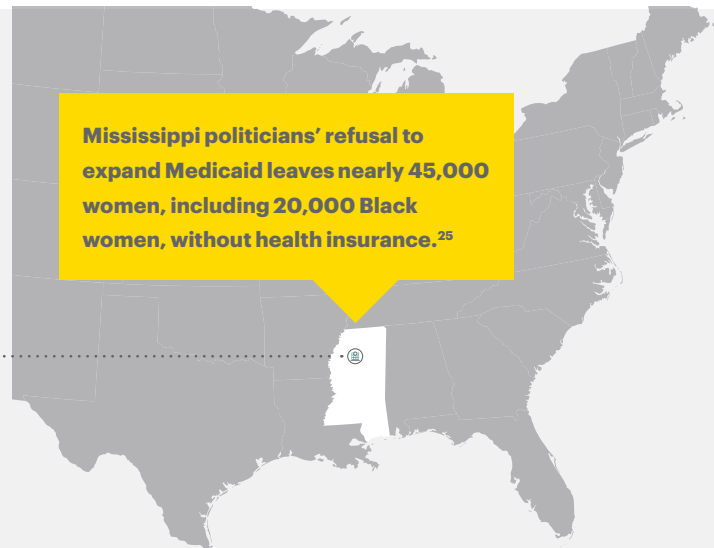
WOMEN ARE DENIED THE HEALTH CARE THEY NEED.

Mississippi only has one remaining abortion clinic and **91 percent of Mississippi women live in counties without a clinic.** As a result, most women seeking abortion, particularly women in rural areas, are forced to travel hundreds of miles roundtrip to obtain an abortion.²⁶

ONLY **1** CLINIC



Mississippi politicians' refusal to expand Medicaid leaves nearly 45,000 women, including 20,000 Black women, without health insurance.²⁵



7

SCHOOLS ARE PUSHING GIRLS OUT OF THE CLASSROOM.

In the 2015-16 school year, although Black girls in Mississippi made up about half of all female students, they constituted **two thirds of girls referred to law enforcement and almost two thirds of girls who experienced a school-related arrest.** They were also suspended from school at 4.7 times the rate of white girls.²⁷



- 1 From 2009–2017, the number of women who held a bachelor’s degree in Mississippi increased by 16 percent and the number of women who held a graduate or professional degree increased by 43 percent. Nat’l Women’s Law Ctr. calculations based on CENSUS BUREAU, U.S. DEP’T OF COMMERCE, AMERICAN COMMUNITY SURVEY (ACS) 2005-2009 and 2013-2017 five-year estimates Table B15001 using American Fact Finder; Nat’l Women’s Law Ctr. calculations based on ACS 2013–2017 five-year estimates using Steven Ruggles, Sarah Flood, Ronald Goeken, Josiah Grover, Erin Meyer, Jose Pacas, and Matthew Sobek. IPUMS USA: Version 9.0 [dataset]. Minneapolis, MN: IPUMS, 2019. <https://doi.org/10.18128/D010.V9.0>.
- 2 From 2009–2017, the rate of employment among Black women in Mississippi’s labor force increased by nearly 3 percent, which was greater than the increase seen by Black men; white, non-Hispanic men and women; Asian men and women; and Latinx men and women. Nat’l Women’s Law Ctr. calculations based on ACS 2005-2009 and 2013-2017 five-year estimates using IPUMS.
- 3 SARAH JANE GLYNN, CTR. FOR AM. PROGRESS, BREADWINNING MOTHERS CONTINUE TO BE THE U.S. NORM, Table 1 (2019), available at <https://www.americanprogress.org/issues/women/reports/2019/05/10/469739/breadwinning-mothers-continue-u-s-norm/>.
- 4 INST. FOR WOMEN’S POL’Y RESEARCH, THE STATUS OF BLACK WOMEN IN THE UNITED STATES Appendix Table 3.3 (2017), available at <https://iwpr.org/wp-content/uploads/2017/06/The-Status-of-Black-Women-6.26.17.pdf> (defining breadwinners as single mothers of children under 18 years of age, irrespective of earnings, and as married mothers of children under 18 years of age who earn at least 40 percent of the couple’s joint earnings).
- 5 Nat’l Women’s Law Ctr. calculation based on 2017 ACS using IPUMS.
- 6 State figure: NAT’L WOMEN’S LAW CTR., POVERTY RATES BY STATE, 2017 (2017), available at <https://nwlc-ciw49tixgw51bab.stackpathdns.com/wp-content/uploads/2018/12/Poverty-Rates-State-by-State-2017.pdf>. National figure: Nat’l Women’s Law Ctr. calculations based on CENSUS BUREAU, U.S. DEP’T OF COMMERCE, 2019 Current Population Survey, Annual Social and Economic Supplement (<http://www.census.gov/hhes/www/poverty/>).
- 7 Nat’l Women’s Law Ctr. calculations based on ACS 2013–2017 five-year estimates Table B17001B using American Fact Finder.
- 8 State figure: Nat’l Women’s Law Ctr. calculation based on 2017 ACS Table B17010, available at <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>. National figure: Nat’l Women’s Law Ctr. calculations based on CENSUS BUREAU, U.S. DEP’T OF COMMERCE, 2018 Current Population Survey, Table POV-04, available at <https://www.census.gov/data/tables/time-series/demo/income-poverty/cps-pov/pov-04.html>.
- 9 INST. FOR WOMEN’S POL’Y RESEARCH, THE ECONOMIC IMPACT OF EQUAL PAY BY STATE (May 2017), available at <https://iwpr.org/publications/economic-impact-equal-pay-state/> (“comparable men” are men who are of the same age, have the same level of education, work the same number of hours, and have the same urban/rural status).
- 10 NAT’L WOMEN’S LAW CTR., THE WAGE GAP, STATE BY STATE: 2017 (Dec. 2018), available at <https://nwlc.org/resources/wage-gap-state-state/>.
- 11 Nat’l Women’s Law Ctr. calculations based on ACS 2013–2017 five-year estimates using IPUMS. In 2017, Black women with professional degrees beyond a bachelor’s made \$1.10 for every dollar paid to white, non-Hispanic men with an associate’s degree. Figures are for full-time, year-round workers.
- 12 NAT’L WOMEN’S LAW CTR., THE WAGE GAP, *supra* note 10.
- 13 *Id.*
- 14 Nat’l Women’s Law Ctr. calculations based on ACS 2013–2017 five-year estimates Tables B20017B and B20017H using American Fact Finder. Lifetime losses due to wage gap calculated by multiplying annual losses due to wage gap by 40.
- 15 Nat’l Women’s Law Ctr. calculations based on unpublished U.S. Department of Labor, Bureau of Labor Statistics data for all wage and salary workers in 2015.
- 16 NAT’L WOMEN’S LAW CTR., THE WAGE GAP, STATE BY STATE: 2017 (Dec. 2018), available at <https://nwlc.org/resources/wage-gap-state-state/>. Figures include employed workers only and define tipped workers as all workers in a set of predominantly tipped occupations identified by the Economic Policy Institute (EPI). See Dave Cooper, Zane Mokhiber & Ben Zipperer, *Minimum Wage Simulation Model Technical Methodology*, EPI (Feb. 26, 2019), <https://www.epi.org/publication/minimum-wage-simulation-model-technical-methodology/>.
- 17 Nat’l Women’s Law Ctr. calculations based on ACS 2013–2017 five-year estimates using IPUMS.
- 18 *Id.* Black women make up the majority (52 percent) of women working low-wage jobs in the state.
- 19 NAT’L WOMEN’S LAW CTR., OUT OF THE SHADOWS: AN ANALYSIS OF SEXUAL HARASSMENT CHARGES FILED BY WORKING WOMEN 5 (Aug. 2018), available at <https://nwlc.org/resources/out-of-the-shadows-an-analysis-of-sexual-harassment-charges-filed-by-working-women/>.
- 20 Nat’l Women’s Law Ctr. calculations based on ACS 2013–2017 five-year estimates using IPUMS.
- 21 *Id.*
- 22 *Id.*
- 23 Cost of center care for an infant and four-year-old is from CHILDCARE AWARE OF AM., THE U.S. AND THE HIGH COST OF CHILD CARE Appendix I, available at <http://usa.childcareaware.org/wp-content/uploads/2018/10/appendices18.pdf?hsCtaTracking=189a8ba7-22d8-476b-aa2e-120483a43702%7c7e7f035de-f88f-4732-8204-a30353610929>.
- 24 The figure is specific to Child Care Development Fund (CCDF) vouchers. Under federal law, children in households with incomes up to 85 percent of state median income and with parents who are working or participating in education or training are eligible for child care assistance. REBECCA ULLRICH, STEPHANIE SCHMIT & RUTH COSSE, CTR. FOR LAW AND SOCIAL POLICY, INEQUITABLE ACCESS TO CHILD CARE SUBSIDIES 3 (Apr. 2019), available at https://www.clasp.org/sites/default/files/publications/2019/04/2019_inequitableaccess.pdf
- 25 Nat’l Women’s Law Ctr. calculations based on 2017 ACS one-year estimates using IPUMS.
- 26 GUTTMACHER INSTITUTE, STATE FACTS ABOUT ABORTION: MISSISSIPPI (2018), available at https://www.guttmacher.org/fact-sheet/state-facts-about-abortion-mississippi?gclid=EAlalQobChMlpqKs47Pu4QIVj1mGCh1FsgHOEAAAYASAAEglimPD_BwE
- 27 Nat’l Women’s Law Ctr. calculations based on U.S. Dep’t of Educ., Civil Rights Data Collection, 2015-2016 Data.

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SECTION 1

INCREASE MISSISSIPPI WOMEN'S WAGES



**WOMEN DRIVING
CHANGE**

**A PATHWAY TO A
BETTER MISSISSIPPI**

STOP SHORTCHANGING WOMEN: ENACT A STRONG EQUAL PAY LAW

> THE REALITY

Everyone should be able to earn a decent living and care for their families. Yet, too many Mississippi women—and especially Black women—are struggling to make ends meet because they are being shortchanged at work.

Mississippi women are pursuing higher education in larger numbers than before¹ and make up nearly half of the overall workforce.² Over the past decade, Black women, in particular, have been pursuing higher education at rates that are increasing more quickly than most other racial groups of men and women³ and have seen the largest percent increase in employment in the state.⁴ And nearly three-fourths (73.9 percent) of Mississippi mothers serve as primary or co-breadwinners⁵, with Black mothers most likely to be the primary economic support for their families; indeed, eight out of 10 Black mothers in Mississippi are breadwinners.⁶

Mississippi women are clearly crucial to the well-being of Mississippi families and to the state's economy. But Black women working full-time, year-round in Mississippi are typically paid just 56 cents for every dollar paid to white, non-Hispanic men.⁷ Other women of color also face large wage gaps in the state, including Latinas and Native women who are typically paid just 63 cents and 59 cents,

respectively, for every dollar paid to white, non-Hispanic men, and Asian women who are typically paid just 65 cents to the white, non-Hispanic man's dollar.⁸ White, non-Hispanic women in Mississippi are typically paid 75 cents on the dollar compared to their male counterparts.⁹

These wage gaps exist across occupations and education levels¹⁰ and can't be explained away by women's educational or occupational "choices." In fact, Black women in Mississippi typically have to earn a professional degree beyond a bachelor's degree to make slightly more than white, non-Hispanic men with an associate's degree.¹¹

Black women working full-time, year-round in Mississippi are typically paid just 56 cents for every dollar paid to white, non-Hispanic men.

Sex and race stereotypes and biases about women’s competence, commitment, and value continue to infect workplace decision making and keep women from earning a decent wage. Numerous studies show that compared to men, equally qualified women are less likely to be hired, particularly for high-wage jobs, or are likely to be offered lower salaries.¹² For women of color, racial stereotypes combine with sex stereotypes to further decrease the work opportunities and increase hyper-scrutiny of their work.¹³

If today’s wage gap does not close, a Black woman in Mississippi stands to lose \$849,480 over a 40-year career.¹⁴ That means that the typical Black woman starting work at age 20 would have to work until the age of 91 to catch up to white, non-Hispanic men’s career earnings by age 60.¹⁵ These lost wages severely reduce women’s ability to save for retirement and contribute to Mississippi having one of the highest poverty rates in the country for Black women (36.2 percent).¹⁶

> THE SOLUTION

The federal Equal Pay Act has prohibited pay discrimination against women for over 55 years, but courts have opened significant loopholes in the law.

.....

Pay discrimination also remains persistent because it is difficult to detect; in a recent survey, two-thirds of private sector employees reported that discussing their wages is either prohibited or discouraged by employers.¹⁷

States across the country from Louisiana to Minnesota have been strengthening their equal pay laws to address the shortcomings in federal protections.

Mississippi is the only state in the nation without an equal pay law at all.

MISSISSIPPI URGENTLY NEEDS TO ENACT AN EQUAL PAY LAW THAT ENSURES THAT ALL EMPLOYEES:

- Receive equal pay for equal work, without regard to their sex, race, national origin, or other protected characteristics, unless an employer shows a bona fide business justification for the pay difference.
- Are protected from retaliation for discussing their pay with co-workers.
- Aren’t forced to provide their salary history when seeking a job, because pay discrimination follows individuals from job to job when employers rely on job applicants’ salary history to set pay.
- Are able to recover compensatory and punitive damages and be fully compensated for the harm they experience from pay discrimination.

THE CASE FOR CHANGE

Ending pay discrimination and closing the wage gap will not just ensure that everyone has a fair shot at success; it will strengthen Mississippi families, businesses, and the state economy.

A Equal pay helps boost the state economy. If women in Mississippi received equal pay with comparable men, the poverty for working women would be cut by more than half, the poverty rate among children with working mothers would be reduced by one-third, and the Mississippi economy would have added \$4.15 billion in wage and salary income (equivalent to 3.9 percent of 2016 GDP) to its economy.¹⁸

B Bringing Black women's earnings in line with white non-Hispanic men's would bring in an additional \$21,237 a year to support the many Mississippi families that rely on a Black woman's income.

C Equal pay and pay transparency help businesses' bottom line by increasing employee loyalty, productivity, and performance.¹⁹

D Eliminating the wage gap helps state budgets and reduces public costs. Equal pay for women would help ensure that state programs designed to help low-income families serve as a safety net for those who have fallen on hard times—not as a taxpayer subsidy to employers that fail to pay their workers fairly.



A Black woman in Mississippi typically loses \$21,237 annually to the wage gap.

THIS COULD PAY FOR

- 29 months of rent at \$742 per month—the median cost of rent in Mississippi
- 55 months of child care for a four-year-old at the state average of \$389 per month
- 50 months of health insurance premiums at the state average of \$428 per month.²⁰

“I worked for a wholesale distributor in Shaw, Mississippi, processing invoices, taking orders from customers, and generally doing whatever was asked of me to do. After four to five years of working with this company, I wanted to apply for an outside sales position. Each time that I inquired to fill out an application, I was told, “no.” The reason my employer gave me was basically that this job was not for women. The job was too dangerous for a woman, no one would want to do business with a woman, and I wouldn't be a very good mother if I was out on the road making sales calls and my children needed me, were just some of the reasons given to me by my boss. It was better for me to just stay in the office. When I finally understood that I was not going to be given the opportunity to even apply for the sales position, I told my boss that I wanted to be paid equally to the men that were working in the office with me. We were doing the exact same job, but the men were paid \$10,000 to \$15,000 more a year. My boss responded with “Amanda, they need to be paid more. They have families to support.” My response was to him was, “What do you call the little people that I have at home? They are my family, and I am responsible for supporting them.” It should not matter what anyone's home life is. If we do the same job, the pay should be equal.

– AMANDA MCMILLAN
JACKSON, MISSISSIPPI

BOOST WOMEN'S AND FAMILIES' WAGES AND HELP NARROW THE WAGE GAP: RAISE THE STATE MINIMUM WAGE

> THE REALITY

People working hard to support their families should be able to make ends meet. But too many Mississippians work hard in important and demanding jobs—caring for children, cleaning homes and offices, or serving food—yet receive far too little pay to support themselves and their families.

In Mississippi, working full time at the minimum wage (just \$7.25 per hour, the federal minimum)

still leaves a mother with two children in poverty.²¹

The minimum wage is falling short for tens of thousands of Mississippi workers, but it is especially hurting women, and Black women in particular. Mississippi women represent nearly two-thirds of workers making the minimum wage,²² and more than seven in 10 workers in low-wage jobs, defined as those that typically pay \$11.50 per hour or less.²³ Black women in Mississippi are the largest group of women working in jobs that pay the minimum wage, or just a few dollars above it, making up over half of all female low-wage workers²⁴—and they are also especially likely to be responsible for supporting children on their own.²⁵

Women are also more than 70 percent of those working in tipped jobs in Mississippi, with Black women making up almost one-third of women tipped workers.²⁶ Employers can

pay tipped workers a cash wage of just \$2.13 per hour—less than \$5,000 a year for full-time work—²⁷ providing little reliable income when fluctuating tips make it difficult to cover regular expenses like rent and groceries. And workers who are forced to depend on the whims of customers for the bulk of their income—rather than rely on set wages from their employer—are especially vulnerable to sexual harassment on the job from customers and others.

These low wages make it impossible for many Mississippi families to raise their family in safe, healthy environments. Nearly 72 percent of women working in low-wage jobs in Mississippi are over 25 years old, and among them, more than four in 10 (41 percent) are supporting children.²⁸ Low pay can make securing reliable child care impossible,

putting working parents in an untenable situation. And a large body of research shows that the strain of trying to meet basic needs on inadequate income can have detrimental and long-lasting effects, especially for children growing up in poverty.²⁹

Women's concentration in minimum wage and other low-wage jobs also contributes to Mississippi's large gender wage gaps and to Mississippi having the highest poverty rate for women in the country.³⁰ More than one-quarter of women working in low-wage jobs in Mississippi live in poverty; 63 percent of them are Black women.³¹ Women tipped workers in Mississippi face a poverty rate that is more than twice the poverty rate of the state's total workforce,³² and Black women tipped workers specifically face a poverty rate that is almost three times higher than the rate for the state's total workforce.³³

70%

Women are more than 70 percent of workers in tipped jobs in Mississippi—whose employers can pay them just \$2.13 per hour.

Black women make up almost one-third of women tipped workers.

> THE SOLUTION

The federal minimum wage has been frozen at \$7.25 per hour for nearly a decade, but since 2014, half the states and the District of Columbia have passed laws or ballot measures to increase their minimum wages.³⁴

TO IMPROVE WOMEN'S ECONOMIC SECURITY, MISSISSIPPI SHOULD JOIN THIS MOVEMENT AND:

- Raise the minimum wage to at least \$15 per hour and index the wage to rise annually with the median wage. While those supporting families will need more to meet basic needs, this is an important step in moving more Mississippi families closer to a living wage.
- Ensure that the same minimum wage applies to tipped and non-tipped workers alike.

> THE CASE FOR CHANGE

Raising the minimum wage will not only increase economic security for Mississippi women and families, it will improve the health and well-being of families and children, help advance gender equity, and strengthen the Mississippi economy.

.....

A Raising the minimum wage for all workers will help women in Mississippi support themselves and their families, allowing them to better afford necessities like housing, child care, reproductive health care, and groceries.

B Raising the minimum wage can help close the persistent wage gap between women and men, because women are the majority of workers who see their pay go up when we raise the minimum wage.³⁵

C By boosting pay for low-wage workers, Mississippi can improve its overall economy.³⁶ A higher minimum wage means workers have more resources to spend in their communities—increasing demand for goods and services. It also benefits employers by reducing turnover and increasing productivity.³⁷

D Public opinion polling consistently shows very strong support for minimum wage increases. A 2019 national poll showed 82 percent of voters support increasing the minimum wage, and that support was strong across the ideological spectrum.³⁸ The results of ballot measures in 2018 also reflect this strong support: for example, about two-thirds of voters in Arkansas and Missouri approved ballot initiatives to raise their minimum wages to \$11 and \$12 per hour, respectively.

END OCCUPATIONAL GENDER SEGREGATION: IMPROVE PATHWAYS TO HIGHER-PAYING JOBS

> THE REALITY

Everyone deserves a pathway to better jobs for themselves and better lives for their families. But too many Mississippi women are blocked from working their way up into higher-paying, male-dominated jobs and are instead trapped in lower-paying, female-dominated jobs.

Mississippi must improve the wages and quality of female-dominated jobs and also clear pathways for Mississippi women—and especially mothers—to work in higher-paying, male-dominated jobs.

For example, women in Mississippi make up only 23.7 percent of the workforce employed in computer, engineering, and science occupations, who earn on average \$55,391³⁹ and only 2.4 percent of construction/extraction workers, who earn on average \$37,158.⁴⁰ By contrast, Mississippi women are about 91 percent of health care support workers, with a median annual wage of \$21,447; 62 percent of all women health care support workers are Black.⁴¹

Active discouragement, harassment, isolation, outright exclusion, and lack of information about alternative job options are all barriers to women's entry into higher wage jobs that are traditionally mostly held by men. Mississippi women, especially mothers, also face significant obstacles to obtaining education or training that leads to higher-paying job opportunities. Nearly four in 10 Mississippi

women working in low-wage jobs are supporting children under the age of 18; of those women in low-wage jobs with children, over two-thirds are responsible for supporting children on their own.⁴² Black women working in the low-wage workforce are especially likely to be supporting children; 41 percent of Black women working low-wage jobs have children under 18 compared to 29 percent of white, non-Hispanic women in low-wage jobs.⁴³ The limited reach of child care assistance for low- to moderate-income working parents can make it impossible for parents to find the time and resources to pursue training or education to improve their job prospects. And few workforce training programs provide resources to help parents access the child care they need to be able to participate in the program. As a result, many parents find themselves trapped in low-wage jobs with no viable route to better work.

> THE SOLUTION

Mississippi must build a pathway to better paying jobs for women and remove barriers to entry into higher-paying, male-dominated fields.

.....

THE SOLUTION INCLUDES:

- Targeting and recruiting women for job training in higher-paying, nontraditional occupations.
- Ensuring workforce training programs provide child care and case management services to connect parents to child care and other assistance, not only while parents complete training, but also while they search for employment and begin work.
- Increasing funding for child care as a work support through state funds and federal funding such as Temporary Assistance for Needy Families (TANF) funds, Supplemental Nutrition and Assistance Program Employment & Training (SNAP E & T) 100% Grant Funds, the SNAP E & T 50/50 Grant program, and Workforce Innovation and Opportunity Act (WIOA) funding.⁴⁴



I just think it's a blessing because if [the job training program] hadn't provided [child care], I wouldn't be able to work, and they extended the child care past the program where after, you know, you started working you still have the daycare and the support. And that's the big problem with mothers and single mothers, just being at work, thinking who has my child and whoever has them don't want to really watch them or put in the time with them, but with this program, your child goes to a daycare that is accredited and that's one less thing you have to worry about. My mom has provided most of my child care. Most of the time I wouldn't take a job, because you'd be away from the kids a lot, and then you have to really have someone who's going to watch your child, and depending on the job, most of the time it's minimum wage and with minimum wage you work to pay child care and it doesn't equal out. So I've passed up jobs, you know, because of child care. At first I had so many limitations. Because your mind is running, how am I going to do this and how am I going to do that? And then they take away all those "buts" and "what ifs" and you have child care and you have the necessary things to come sit in class and any "buts" you have, they'll address them. I definitely think this program will help me be successful.

– **ETHEL WILLIAMS,**
MOORE COMMUNITY HOUSE WOMEN IN CONSTRUCTION PROGRAM PARTICIPANT⁴⁸

> THE CASE FOR CHANGE

Everyone should be able to work toward a better future for themselves and their families. Investing in training in higher-paying nontraditional occupations and child care assistance for those pursuing training and work will not only set women on a path to economic security; creating this pathway will also improve children’s well-being and reduce occupational segregation, helping close Mississippi’s significant gender wage gap and strengthen Mississippi’s overall workforce and economy.

.....

A Creating pathways to higher-paying nontraditional occupations will lead to immeasurable positive benefits for Mississippi children, especially those living with single mothers. A modest boost to family income can benefit both short- and long-term outcomes for young children in low-income families, including improvements in math and reading test scores in school and higher earnings as adults.⁴⁵

B Creating pathways into higher-paying jobs will help reduce gender occupational segregation, which will help reduce Mississippi’s gender wage gap: one study found that if the distribution of women in each industry in Mississippi were the same as the distribution of men, Mississippi’s wage gap would decrease by eight percentage points.⁴⁶

C Investing in this pathway will diversify and improve the state’s economy and increase overall workforce participation by reducing occupational segregation, which drives down wages and productivity, depresses workforce participation rates, and slows down economic growth.⁴⁷

D Investing in training in higher-paying nontraditional occupations and child care assistance to allow mothers to pursue that training also serves the state’s focus in WIOA implementation, which is to increase the workforce participation rate by closing the skills gap.

PROTECT EQUALITY, SAFETY, AND DIGNITY AT WORK: ENACT STRONG LAWS TO STOP AND PREVENT WORKPLACE HARASSMENT

> THE REALITY

Everyone deserves to be safe at work and treated with dignity and respect. But sexual harassment, which remains extremely common in the workplace, holds women back, threatens their safety and economic opportunities, and excludes them from public life. And women of color, immigrants, and LGBTQ people are at outsized risk of harassment and are more likely to be ignored or retaliated against when they challenge harassment.

In 2018, 125 charges of sexual harassment were filed with the Equal Employment Opportunity Commission (EEOC) in Mississippi.⁴⁹ But these charge statistics do not even begin to represent the extent of sexual harassment in the workplace, given that an estimated 70 percent of workers who experience sexual harassment never report it.⁵⁰ Fear of retaliation is one of the main reasons people do not report sexual harassment; the risk of a pay cut, losing a job, damaging future career prospects, and developing a reputation within an industry as a “troublemaker” is substantial. Surveys of employees find that at least 25 percent, and as many as 85 percent, of women surveyed report having experienced sexual harassment at work.⁵¹

EEOC charge data indicate that women of color—and Black women in particular—are disproportionately likely

to experience sexual harassment at work. Between 2012 and 2016, Black women filed nearly 3 times as many sexual harassment charges than white, non-Hispanic women.⁵²

Sexual harassment is also particularly common for women working in low-wage jobs and in nontraditional, male-dominated fields. In Mississippi, women make up more than seven in 10 workers in low-wage jobs, as well as more than seven in 10 tipped workers, and Black women are the largest group of women working in low-wage jobs.⁵³ Fear of losing their jobs and the income that is critical to their families makes women working in these jobs particularly vulnerable to harassment and retaliation and forces many to tolerate harassment as the cost of maintaining employment. Sexual harassment makes its targets, the overwhelming majority of who are women, feel unsafe and unwelcome,

interferes with employees’ morale and ability to be productive and successful, and hurts their short- and long-term mental and physical health. It can push women out of their jobs and lead women to avoid or leave a profession or industry altogether—often higher-paying, male-dominated professions—which decreases women’s earnings relative to men’s, perpetuating the gender wage gap.

Gaps in federal anti-harassment laws and the fact that Mississippi does not have a general state law against workplace harassment or discrimination has left many

of those most vulnerable to sexual harassment without meaningful legal protections. Court imposed standards have made it difficult for victims to hold employers and individual harassers accountable, and federal law and state law have failed to prevent the proliferation of employer-driven agreements, like nondisclosure agreements, that help hide the true extent of sexual harassment and shield serial harassers from accountability. Federal law also focuses largely on remedying harassment after the fact, with little emphasis on preventing harassment in the first instance.

THE SOLUTION

Mississippi must meet the courage of those coming forward to say MeToo with policy initiatives to better protect workers, promote accountability, and prevent harassment.

Importantly, these initiatives must not only address harassment based on sex (including sexual orientation and gender identity), but also harassment and discrimination based on other characteristics, like race or disability, because women experience these forms of harassment as intertwined, not separate.

TO END WORKPLACE HARASSMENT, MISSISSIPPI SHOULD:

- Enact workplace anti-harassment and anti-discrimination protections that cover all working people, including independent contractors, interns, and volunteers, and apply to all employers, regardless of their size.
- Ensure employers are held responsible for harassment committed by supervisors, including not only those empowered to hire and fire employees, but those with the authority to direct the harassed employee’s daily work activities.
- Protect all workers from retaliation, including managers, human resources personnel, or other Equal Employment Opportunity advisors.
- Permit employees at least three years to go to court to seek justice under these protections.
- Allow complete redress of the harm caused by harassment and discrimination by allowing victims to recover uncapped monetary damages.
- Restrict employers’ efforts to impose secrecy regarding harassment through the use of nondisclosure and nondisparagement agreements.
- Ensure employers adopt comprehensive harassment and discrimination prevention programs, including mandatory anti-harassment training.

> THE CASE FOR CHANGE

Sexual harassment stands in the way of equal opportunity and economic stability and the right to live with dignity and autonomy. But sexual harassment not only harms its targets; it also harms businesses and the broader Mississippi economy.

.....

A Sexual harassment leads to reduced employee job satisfaction, increased absenteeism, and deterioration of co-worker relationships.⁵⁴ Harassment and retaliation can push women out of their jobs, or lead them to avoid or leave a profession or industry altogether—often higher-paying or male-dominated professions, like construction or STEM. This, in turn, exacerbates the gender wage gap and limits women’s ability to build wealth and plan for the future.⁵⁵

C States are at the forefront of addressing the issue of harassment in the workplace. Since 2017, 15 states have enacted legislation that closes loopholes in existing harassment laws or creates new protections for victims of harassment and discrimination, including Tennessee, Nevada, Maryland, New York, Washington, Vermont, and California.⁵⁷

B Eighty-one percent of voters see sexual harassment in the workplace as a serious problem, and 51 percent of voters would not vote for a leader who did not prioritize addressing sexual harassment.⁵⁶

- 1 From 2009–2017, the number of women who held a bachelor’s degree in Mississippi increased by 16 percent and the number of women who held a graduate or professional degree increased by 43 percent. Nat’l Women’s Law Ctr. calculations based on CENSUS BUREAU, U.S. DEP’T OF COMMERCE, AMERICAN COMMUNITY SURVEY (ACS) 2005-2009 and 2013-2017 five-year estimates Table B15001 using American Fact Finder.
- 2 Nat’l Women’s Law Ctr. calculations based on ACS 2013–2017 five-year estimates using Steven Ruggles, Sarah Flood, Ronald Goeken, Josiah Grover, Erin Meyer, Jose Pacas, and Matthew Sobek. IPUMS USA: Version 9.0 [dataset]. Minneapolis, MN: IPUMS, 2019. <https://doi.org/10.18128/DO10.V9.0>.
- 3 From 2009–2017, the percent increase in Black women obtaining bachelor’s degrees was seven times greater than the percent increase for white, non-Hispanic men and nearly three times greater than for white, non-Hispanic women. The percent increase in bachelor’s degrees obtained by Black men and Latinx men and women during that period was greater than the increase for Black women. Nat’l Women’s Law Ctr. calculations based on ACS 2005-2009 and 2013-2017 five-year estimates using IPUMS.
- 4 From 2009–2017, the rate of employment among Black women in Mississippi’s labor force increased by nearly 3 percent, which was greater than the increase seen by Black men; white, non-Hispanic men and women; Asian men and women; and Latinx men and women. Nat’l Women’s Law Ctr. calculations based on ACS 2005-2009 and 2013-2017 five-year estimates using IPUMS.
- 5 SARAH JANE GLYNN, CTR. FOR AM. PROGRESS, BREADWINNING MOTHERS CONTINUE TO BE THE U.S. NORM, Table 1 (2019), available at <https://www.americanprogress.org/issues/women/reports/2019/05/10/469739/breadwinning-mothers-continue-u-s-norm/>.
- 6 INST. FOR WOMEN’S POLICY RESEARCH, THE STATUS OF BLACK WOMEN IN THE UNITED STATES Appendix Table 3.3 (2017), available at <https://iwpr.org/wp-content/uploads/2017/06/The-Status-of-Black-Women-6.26.17.pdf> (defining breadwinners as single mothers of children under 18 years of age, irrespective of earnings, and as married mothers of children under 18 years of age who earn at least 40 percent of the couple’s joint earnings). In Mississippi, 83 percent of all Black mothers of children under 18 are breadwinners, compared to 63 percent of all mothers of children under 18.
- 7 NAT’L WOMEN’S LAW CTR., THE WAGE GAP, STATE BY STATE: 2017 (Dec. 2018), available at <https://nwlc.org/resources/wage-gap-state-state/>.
- 8 *Id.*
- 9 *Id.*
- 10 For example, Black women working as cashiers—a low-wage job—make 73 cents for every dollar paid to their white, non-Hispanic male counterparts. Black women who work as registered nurses—a medium-wage job—make only 83 cents for every dollar paid to white, non-Hispanic men who do this work. And among workers in high-wage occupations—such as lawyers, engineers, and physicians or surgeons—Black women are paid 56 cents for every dollar paid to white, non-Hispanic men in the same occupations. Further, Black women with master’s degrees make only 90 cents for every dollar paid to white, non-Hispanic men with associate degrees. Nat’l Women’s Law Ctr. calculations based on ACS 2013–2017 five-year estimates using IPUMS. Figures are for full-time, year-round workers.
- 11 Nat’l Women’s Law Ctr. calculations based on ACS 2013–2017 five-year estimates using IPUMS. In 2017, Black women with professional degrees beyond a bachelor’s made \$1.10 for every dollar paid to white, non-Hispanic men with an associate’s degree. Figures are for full-time, year-round workers.
- 12 See, e.g., Corrine A. Moss-Racusin et al., *Science Faculty’s Subtle Gender Biases Favor Male Students*, 109 PROCEEDINGS OF THE NAT’L ACADEMY OF SCIENCES OF THE UNITED STATES OF AMERICA 16474 (2012), available at <http://www.pnas.org/content/109/41/16474.abstract#aff-1>.
- 13 See generally JOAN C. WILLIAMS, KATHERINE W. PHILLIPS & ERIKA V. HALL, DOUBLE JEOPARDY? GENDER BIAS AGAINST WOMEN OF COLOR IN SCIENCE (2014), available at https://worklifelaw.org/publications/Double-Jeopardy-Report_v6_full_web-sm.pdf; DEEPALI BAGATI, CATALYST, WOMEN OF COLOR IN U.S. LAW FIRMS (2009), available at https://www.catalyst.org/wp-content/uploads/2019/01/Women_of_Color_in_U.S._Law_Firms.pdf; Joan C. Williams & Marina Multhaup, *For Women and Minorities to Get Ahead, Managers Must Assign Work Fairly*, HARVARD BUSINESS REVIEW (March 5, 2018), <https://hbr.org/2018/03/for-women-and-minorities-to-get-ahead-managers-must-assign-work-fairly>.
- 14 Nat’l Women’s Law Ctr. calculations based on ACS 2013–2017 five-year estimates Tables B20017B and B20017H using American Fact Finder. Lifetime losses due to wage gap calculated by multiplying annual losses due to wage gap by 40.
- 15 *Id.*
- 16 Nat’l Women’s Law Ctr. calculations based on ACS 2013–2017 five-year estimates Table B17001B using American Fact Finder.
- 17 INST. FOR WOMEN’S POLICY RESEARCH, PRIVATE SECTOR WORKERS LACK PAY TRANSPARENCY: PAY SECRECY MAY REDUCE WOMEN’S BARGAINING POWER AND CONTRIBUTE TO GENDER WAGE GAP (2017), available at <https://iwpr.org/publications/private-sector-pay-secrecy/>.
- 18 INST. FOR WOMEN’S POL’Y RESEARCH, THE ECONOMIC IMPACT OF EQUAL PAY BY STATE (May 2017), available at <https://iwpr.org/publications/economic-impact-equal-pay-state/> (“comparable men” are men who are of the same age, have the same level of education, work the same number of hours, and have the same urban/rural status).
- 19 See ANDREW CHAMBERLAIN, GLASSDOOR, IS SALARY TRANSPARENCY MORE THAN A TREND: LESSONS FROM ECONOMIC RESEARCH (Apr. 2015), available at <https://www.glassdoor.com/research/studies/is-salary-transparency-more-than-a-trend/>; Deborah Thompson Eisenberg, *Money, Sex and Sunshine: A Market-Based Approach to Pay Discrimination*, 43 ARIZ. STATE L.J. 951, 1001-15 (2011), available at https://digitalcommons.law.umaryland.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=2093&context=fac_pubs.
- 20 Annual losses for Black women due to wage gap are from ACS 2013-2017 five-year estimates Tables B20017B and B20017H using American Fact Finder. Annual losses calculated by subtracting 2017 median income of full-time, year round Black female workers from white, non-Hispanic male workers. Median gross rent in Mississippi is from ACS 2013-2017 five-year estimates Table B25031 using American Fact Finder. Gross rent is the contract rent plus the estimated average monthly cost of utilities (electricity, gas, and water and sewer) and fuels (oil, coal, kerosene, wood, etc.) if these are paid by the renter (or paid for the renter by someone else). Average health insurance premium in Mississippi is from U.S. DEP’T OF HEALTH AND HUMAN SERVS., AGENCY FOR HEALTHCARE RESEARCH AND QUALITY, MEDICAL EXPENDITURE PANEL SURVEY: 2017, Table II.D.2. Average total employee contribution (in dollars) per enrolled employee for family coverage at private-sector establishments that offer health insurance by firm size and state: United States, 2017. Average cost of child care for a four-year-old in-center in Mississippi is from CHILD CARE AWARE OF AMERICA, THE US AND THE HIGH COST OF CHILD CARE: 2018, Appendix I.
- 21 See *Poverty Thresholds for 2018*, CENSUS BUREAU, U.S. DEP’T OF COMMERCE (last visited May 2019), <https://www.census.gov/data/tables/time-series/demo/income-poverty/historical-poverty-thresholds.html>. The current poverty line for an adult with two children is \$20,231.
- 22 Nat’l Women’s Law Ctr. calculations based on unpublished U.S. Department of Labor, Bureau of Labor Statistics data for all wage and salary workers in 2015.
- 23 Nat’l Women’s Law Ctr. calculations based on ACS 2013–2017 five-year estimates using IPUMS.
- 24 *Id.* Black women make up the majority (52 percent) of women working low-wage jobs in the state.
- 25 *Id.* Over 70 percent of Black women with children under 18 in Mississippi are single mothers compared to 46 percent of all women with children under 18 in Mississippi.
- 26 *Id.* Black women made up 29.3 percent of female tipped workers in the state. Figures include employed workers only and define tipped workers as all workers in a set of predominantly tipped occupations identified by the Economic Policy Institute (EPI). See Dave Cooper, Zane Mokhiber & Ben Zipperer, *Minimum Wage Simulation Model Technical Methodology*, EPI (Feb. 26, 2019), <https://www.epi.org/publication/minimum-wage-simulation-model-technical-methodology/>.
- 27 A tipped worker paid \$2.13 per hour for 40 hours each week, 52 weeks a year would receive \$4,430.40 from her employer before taxes.
- 28 Nat’l Women’s Law Ctr. calculations based on ACS 2013–2017 five-year estimates using IPUMS.
- 29 See generally NAT’L WOMEN’S LAW CTR., SET UP TO FAIL: WHEN LOW-WAGE WORK JEOPARDIZES PARENTS’ AND CHILDREN’S SUCCESS (Jan. 2016), available at <https://nwlc.org/resources/set-up-to-fail-when-low-wage-work-jeopardizes-parents-and-childrens-success/>.
- 30 NAT’L WOMEN’S LAW CTR., POVERTY RATES BY STATE, 2017 (2017), available at <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2018/12/Poverty-Rates-State-by-State-2017.pdf>.
- 31 Nat’l Women’s Law Ctr. calculations based on ACS 2013–2017 five-year estimates using IPUMS.
- 32 *Id.* 22 percent of women tipped workers in Mississippi live in poverty compared to 10 percent of all workers in the state.
- 33 *Id.* Over 27 percent of Black women tipped workers in Mississippi live in poverty.
- 34 The Economic Policy Institute (EPI), *Minimum Wage Tracker*, EPI (last visited June 2019), <https://www.epi.org/minimum-wage-tracker/>. Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New Mexico, New York, Oregon, Rhode Island, South Dakota, Vermont, Washington, Washington, D.C., and West Virginia have changed their minimum wage laws since January 2014.

- 35 Nat'l Women's Law Ctr., *THE RAISE THE WAGE ACT: BOOSTING WOMEN'S PAYCHECKS AND ADVANCING EQUAL PAY* (Feb. 2019), available at <https://nwlc.org/resources/the-raise-the-wage-act-boosting-womens-paychecks-and-advancing-equal-pay/>.
- 36 See generally T. William Lester et al., *Raising the Minimum Wage Would Help, Not Hurt, Our Economy*, CTR. FOR AM. PROGRESS (Dec. 3, 2013), <https://www.americanprogressaction.org/issues/labor/news/2013/12/03/80222/raising-the-minimum-wage-would-help-not-hurt-oureconomy/>; Daniel Aaronson, Sumit Agarwal & Eric French, *The Spending and Debt Responses to Minimum Wage Increases 10* (Feb. 2011) (Fed. Reserve Bank of Chicago, Working Paper 2007-23, 2011), available at http://www.chicagofed.org/digital_assets/publications/working_papers/2007/wp2007_23.pdf (showing that low-wage worker households spent an additional \$2,800 the year following a \$1 increase to the minimum wage).
- 37 See, e.g., Justin Wolfers & Jan Zilinsky, *Higher Wages for Low-Income Workers Lead to Higher Productivity*, PETERSON INST. FOR INT'L ECONOMICS (Jan. 13, 2015), <https://piee.com/blogs/realtime-economic-issues-watch/higher-wages-low-income-workers-lead-higher-productivity>.
- 38 Matthew Sheffield, *Poll: Majority of Voters Support \$15 Minimum Wage*, THE HILL (Jan. 24, 2019), <https://thehill.com/hilltv/what-americas-thinking/426780-poll-a-majority-of-voters-want-a-15-minimum-wage>.
- 39 Women's share of computer, engineering, and science occupations are from ACS 2013–2017 five-year estimates Table S2402 using American Fact Finder. Median income for women in computer, engineering, and science occupations are from ACS 2013–2017 five-year estimates Table B24022 using American Fact Finder.
- 40 Women's share of construction and extraction occupations are from ACS 2013–2017 five-year estimates Table S2402 using American Fact Finder. Median income for women in construction and extraction occupations are from ACS 2013–2017 Table B24044 using American Fact Finder.
- 41 Nat'l Women's Law Ctr. calculations based on ACS 2013–2017 five-year estimates using IPUMS. Health care support workers include all ACS occupations defined as "healthcare support occupations." Median income for female health care support workers is for full-time, year-round workers.
- 42 Nat'l Women's Law Ctr. calculations based on ACS 2013–2017 five-year estimates using IPUMS.
- 43 *Id.*
- 44 For more details on these recommendations, see MISSISSIPPI LOW INCOME CHILD CARE INITIATIVE, *COUPLING CHILD CARE WITH PATHWAYS TO NONTRADITIONAL, HIGHER PAYING WORKING: BRIDGING MISSISSIPPI'S SKILLS AND WAGE GAP* (2017), available at <https://www.mschildcare.org/wp-content/uploads/2019/02/2018-Child-Care-and-Work-Training-Report.pdf>.
- 45 See, e.g., Gordon Dahl & Lance Lochner, *The Impact of Family Income on Child Achievement: Evidence from the Earned Income Tax Credit* (Nat'l Bureau of Econ. Research, Working Paper No. 14599, Dec. 2008); Jeanne Brooks-Gunn & Greg J. Duncan, *The Effect of Poverty on Children*, 7 CHILD. & POVERTY 55, 88 (1997) (reporting that children growing up in poverty are significantly more likely than non-poor children to experience learning disabilities and developmental delays and less likely to complete high school, and children who experience poverty in their earliest years experience the worst outcomes).
- 46 SONDRÁ COLLINS, *THE GENDER WAGE GAP IN MISSISSIPPI* 4 (2017), http://www.mississippi.edu/urc/downloads/gender_wage_gap_2017.pdf.
- 47 *Fact Sheet: Occupational Segregation in the United States*, EQUITABLE GROWTH (Oct. 3, 2017), <https://equitablegrowth.org/fact-sheet-occupational-segregation-in-the-united-states/>.
- 48 Transcribed from Mississippi Low Income Child Care Initiative, *Highlights from Women in Construction*, YouTube (Aug. 4, 2017), <https://www.youtube.com/watch?v=8Mb4VnWtC2I&t=32s>.
- 49 U.S. EQUAL EMP'T OPPORTUNITY COMM'N, *ENFORCEMENT AND LITIGATION STATISTICS, EEOC SEXUAL HARASSMENT CHARGES BY STATE & GENDER FY 1997 – FY 2018*, available at https://www.eeoc.gov/eeoc/statistics/enforcement/sexual_harassment_eeoc_only_by_state.cfm.
- 50 Huffington Post & YouGov, *Poll of 1,000 Adults in United States on Workplace Sexual Harassment*, HUFFINGTON POST (Aug. 2013), http://big.assets.huffingtonpost.com/toplines_harassment_0819202013.pdf.
- 51 U.S. EQUAL EMP'T OPPORTUNITY COMM'N, *SELECT TASK FORCE ON THE STUDY OF HARASSMENT IN THE WORKPLACE, REPORT OF CO-CHAIRS CHAI R. FELDBLUM AND VICTORIA LIPNIC* 8 (June 2016), available at https://www.eeoc.gov/eeoc/task_force/harassment/upload/report.pdf.
- 52 Nat'l Women's Law Ctr., *OUT OF THE SHADOWS: AN ANALYSIS OF SEXUAL HARASSMENT CHARGES FILED BY WORKING WOMEN* 5 (Aug. 2018), available at <https://nwlc.org/resources/out-of-the-shadows-an-analysis-of-sexual-harassment-charges-filed-by-working-women/>.
- 53 Nat'l Women's Law Ctr. calculations based on ACS 2013–2017 five-year estimates using IPUMS.
- 54 See generally Amy Blackstone, Heather McLaughlin, & Christopher Uggen, *The Economic and Career Effects of Sexual Harassment on Working Women*, 31 GENDER & SOCIETY 333-358 (June 2017), available at <http://journals.sagepub.com/doi/full/10.1177/0891243217704631>.
- 55 AMY BLACKSTONE, HEATHER MCLAUGHLIN, & CHRISTOPHER UGGEN, *STANFORD CTR. ON POVERTY AND INEQ., STATE OF THE UNION 2018: WORKPLACE SEXUAL HARASSMENT* 39-40 (2018), available at https://inequality.stanford.edu/sites/default/files/Pathways_SOTU_2018_harassment.pdf.
- 56 BARBARA LEE FAM. FOUND., *NEW RESEARCH: VOTERS, CANDIDATES, AND #MeToo* (2018), available at <http://www.barbaraleefoundation.org/research/voters-candidates-and-metoo/>.
- 57 Nat'l Women's Law Ctr., *PROGRESS IN ADVANCING ME TOO WORKPLACE REFORMS IN #20STATESBY2020* (July 2019), available at https://nwlc-ciw49tixgw5lbbab.stackpathdns.com/wp-content/uploads/2019/07/final_2020States_Report-9.4.19-v.pdf.



SECTION 2

**MEET THE NEEDS
OF WORKING
FAMILIES**



**WOMEN DRIVING
CHANGE**

**A PATHWAY TO A
BETTER MISSISSIPPI**

ENSURE HEALTHY PREGNANCIES AND JOB SECURITY: GUARANTEE PREGNANT WORKERS REASONABLE WORKPLACE ACCOMMODATIONS

> THE REALITY

No one should have to choose between a job and a healthy pregnancy. But too often when pregnant workers ask for modest accommodations recommended by their doctors, like a stool to sit on or the right to drink water during a shift, they are instead forced onto unpaid leave or even fired—just at the moment they and their families can least afford it.

In Mississippi, 54 percent of the women who gave birth in 2017 were in the workforce.¹ While many people will work through their pregnancies without any need for accommodations, some will need temporary changes at work to continue working safely during pregnancy. Women in physically demanding jobs that have traditionally been held by men are particularly likely to seek and be denied pregnancy accommodations, as are women in low-wage jobs, because of the physically demanding nature of many low-wage jobs and a culture of inflexibility in many low-wage workplaces. The lack of reasonable workplace pregnancy accommodations falls particularly heavily on Black women in Mississippi, who are overrepresented in the low-wage workforce: Black women make up over half (52 percent) of all women of reproductive age in the low-wage workforce even though they represent only 42 percent of all employed women of reproductive age in the state.²

Being denied a pregnancy accommodation can be devastating to Mississippi families' economic security. Mothers' earnings are crucial to Mississippi families' financial security and well-being—73.9 percent of Mississippi mothers are primary or co-breadwinners.³ And 32.6 percent of households with children under 18 are headed by single mothers, whose families may have no income at all if they are forced out of work during pregnancy.⁴ Women working in low-wage occupations and Black women are even more likely to be their family's primary or sole breadwinners; income loss during pregnancy can impose particularly severe consequences on these families.⁵

Other women continue working without the accommodations that they need because they cannot afford to follow their doctor's advice if it means losing their income; these women may be put at risk of serious health consequences,



such as miscarriage, pre-term birth, pregnancy-induced hypertension and preeclampsia, congenital anomalies, and low birth weight. Low birth weight babies face increased health risks at birth such as breathing difficulties, bleeding in the brain, heart problems, intestinal issues, and potential vision problems.⁶

The federal Pregnancy Discrimination Act (PDA) and subsequent Supreme Court cases interpreting the law have provided important protections for pregnant workers, but the law around pregnancy accommodations remains unclear, and too many employers and employees are still confused about when exactly the PDA requires pregnancy accommodations.

> THE SOLUTION

Mississippi should prohibit pregnancy discrimination and explicitly provide that employers must make reasonable accommodations to employees who have limitations stemming from pregnancy, childbirth, or related medical conditions, unless the accommodation would impose an undue hardship on the employer.

.....

SUCH A LAW SHOULD ALSO:

- Prohibit employers from discriminating against an employee because she needs a reasonable accommodation because of pregnancy, childbirth, or related medical conditions.
- Prohibit employers from requiring a pregnant employee to accept work changes based on pregnancy when the employee does not have any medical need for the modification and does not want the modification.
- Prohibit employers from forcing a pregnant employee to take leave when another reasonable accommodation would allow her to continue to work. While the employee would remain free to choose to use any leave that she has available, the employee would not be forced onto leave against her will.

Such a law would ensure that employees with medical needs arising out of pregnancy are treated as well in the workplace as those with medical needs arising out of non-pregnancy-related disabilities.



> THE CASE FOR CHANGE

Providing reasonable accommodations to pregnant workers with medical needs promotes maternal and infant health and allows a worker to keep earning income and supporting her family. Pregnancy accommodation laws also benefit businesses and our economy and have garnered strong bipartisan support across the country.

.....

A Ensuring pregnant workers are entitled to reasonable accommodations is an important step toward reducing the disproportionately high maternal and infant mortality rates for Black women. Black women in Mississippi are more likely to be working in low-wage, physically demanding jobs where they are more likely to seek and be denied pregnancy accommodations. Reasonable workplace accommodations will help pregnant workers remain healthy and safe at work, reducing health risks to their pregnancies and their infants.

B Our economy benefits when women are able to keep working and continue supporting their families. U.S. Department of Labor studies show that workplace policies providing reasonable accommodations improve recruitment and retention, increase employee satisfaction and productivity, reduce absenteeism, and improve workplace safety.⁷

C Pregnancy accommodation laws set out an easy-to-apply legal standard that provides much needed clarity to employers about their responsibility to accommodate pregnant workers. As a South Carolina business voice said, pregnancy accommodation laws are a “development that all workers and managers can cheer.”⁸

D Twenty-seven states and the District of Columbia have laws that require certain employers to provide accommodations to pregnant workers, including South Carolina, North Carolina, Louisiana, Kentucky, Nebraska, North Dakota, Texas, Utah, and West Virginia. Many of these provisions have passed within the past five years, with bipartisan and frequently unanimous support.⁹

PROMOTE HEALTHY FAMILIES AND PRODUCTIVE WORKERS: ENSURE PAID LEAVE AND PREDICTABLE WORK SCHEDULES

> THE REALITY

Everyone should be able to work and care for their families. But too many working families are set up to fail: unpredictable and inflexible work schedules and lack of paid sick days or paid family and medical leave can make staying employed while meeting caregiving responsibilities nearly impossible.

Mississippi women, and especially Black women, are particularly harmed by these working conditions, as the vast majority of Black mothers serve as primary or co-breadwinners in their families, while still shouldering the majority of caregiving responsibilities.¹⁰ Women also make up the significant majority of people working in low-wage jobs, where these unfair workplace practices are particularly common. Mothers, especially Black mothers, are overrepresented in these jobs compared to their share of the overall workforce:¹¹ overall, one in four employed mothers with very young children (ages 0 to 3) in Mississippi are in the low-wage workforce—one of the highest percentages in the country.¹² Over one-third of employed Black mothers of very young children are working in the low-wage workforce.¹³

Everyone needs time to care for themselves and their loved ones, but in Mississippi, nearly 50 percent of private sector workers do not have access to paid sick days¹⁴—one of the highest rates in the country. And nationally, only 16 percent

of private sector workers have access to paid family leave.¹⁵ While unpaid leave is available to some employees under the federal Family and Medical Leave Act, it is not something many Mississippi women can afford to take: nearly 60 percent of Mississippi women in families would find themselves below 200 percent of the federal poverty line if they took 12 weeks of unpaid family or medical leave.¹⁶ Too many low-wage employers also give their employees little or no input into their work schedules and change those schedules at the last minute, making it incredibly difficult for working people—especially working parents—to manage their lives, budget, and arrange for stable child care, doctor’s appointments, and other obligations. Employer expectations that workers will be available 24/7 are particularly problematic when a parent has to address not only the daily challenge of finding child care, but also the illnesses and emergencies that inevitably arise in children’s lives. Parents can put their jobs in jeopardy by simply requesting time off to deal with unanticipated caregiving obligations.

Without access to paid sick days, paid family and medical leave, or a predictable work schedule, workers are too often forced to choose between caring for their health, or the health of their loved ones, and keeping their job. In fact, nationally, nearly one in five mothers working in the low-wage workforce have lost a job due to sickness or caring for a sick child.¹⁷

Despite parents’ best efforts, these working conditions can undermine their children’s chances for success as well. Research has shown that features of low-wage work that increase parents’ stress—including constantly fluctuating

work hours and a lack of any paid time off—can also adversely affect children’s well-being.¹⁸ Hardworking families shouldn’t have to constantly sacrifice their families’ needs to meet their bosses’ demands.

In Mississippi, nearly 50 percent of private sector workers do not have access to paid sick days —one of the highest rates in the country.

> THE SOLUTION

Mississippi needs to enact baseline workplace paid leave and fair scheduling protections that will set working families up to earn a good living, thrive, and ensure the next generation can succeed.

THIS INCLUDES:

- Requiring employers to allow workers to earn paid sick and safe days.
- Creating a state insurance program that provides at least 12 weeks of paid family and medical leave to workers.
- Enacting work scheduling protections that:
 - ensure that all employees have the right to make scheduling requests and prohibit employers from retaliating against employees who make such requests.
 - promote more predictable and adequate work hours in industries where volatile schedules are common by requiring employers to give employees two weeks’ notice of work schedules and compensation for schedule changes made with less notice, including a set minimum amount of pay for employees who have their scheduled hours cancelled or reduced, and by requiring employers to offer additional hours to existing qualified part-time employees before hiring new employees.

> THE CASE FOR CHANGE

No one should have to choose between their job and their health or caring for a family member. Paid leave and fair scheduling protections not only help ensure working people can meet their work obligations and care and provide for themselves and their families, these protections improve public health and workforce participation rates and strengthen Mississippi businesses.

.....

A Nearly all workers need to take time away from work at some point because of their own health condition, a family member’s health condition, or to care for a new child. Paid family and medical leave and paid sick days would ensure that workers can actually afford to take leave when they need it to care for themselves or their families.

B Sick workers put everyone’s health at risk. Workers in restaurants and similar service industries requiring frequent contact with the public are among the least likely to have the ability to earn paid sick days.

C Access to paid family leave makes it more likely that women will continue to work after having children, strengthening their connection to the workforce.¹⁹

D Workers permitted to earn paid sick days are more productive and less likely to leave their jobs. And when working parents have schedules that allow them to meet their family responsibilities, they are less likely to be absent from work, more productive and engaged, and more likely to stay in their jobs. Businesses that provide paid sick days and fair work schedules can save money by reducing turnover.²⁰

HELP PARENTS EARN WHILE CHILDREN LEARN: EXPAND ACCESS TO HIGH-QUALITY, AFFORDABLE CHILD CARE

> THE REALITY

Everyone deserves to raise their family in a safe and healthy environment—and that means having access to high-quality child care. High-quality child care ensures women can raise their families in safe, healthy, and nurturing environments while working or advancing their skills and education. Yet because of high costs, many Mississippi families cannot afford the reliable and high-quality child care they need.

A single mother in Mississippi earning the median income (\$26,305) would have to pay 20 percent of her income to afford the average cost of center care for an infant²¹—well above the U.S. Department of Health and Human Services’ (HHS) seven percent affordability benchmark.²² For two children, it would require nearly 40 percent of a single mother’s income to pay for center care for an infant and a four-year-old.²³ This forces parents to make impossible choices between paying for other necessities like rent and food or paying for child care. In some cases, parents may have to turn to lower cost care, which may be lower quality, less stable and may not sufficiently nurture children’s growth and development, or adequately protect children’s health and safety. For parents with nonstandard or unpredictable job schedules, finding high-quality care that matches their work hours or accommodates their shifting schedules to allow them to meet their work obligations and family obligations

may be impossible.²⁴ This lack of affordable, accessible, and high-quality child care can make it less likely that women with caregiving responsibilities are able to stay in the workforce.

The need for high-quality, affordable child care is especially pressing in Mississippi given that over 70 percent of mothers are primary or co-breadwinners—one of the highest rates in the nation²⁵—and many are supporting children on their own wages.²⁶ Nearly one in three employed Mississippi mothers supporting children on their own work in low-jobs that simply do not pay enough to afford reliable child care.²⁷ The lack of high-quality, affordable child care falls particularly heavily on Black women who are overrepresented in the low-wage workforce, are even more likely to be the primary breadwinner in their family, and are more likely to be supporting children on their own.²⁸

At the same time, the child care workers who provide the care that parents across the state rely on are themselves largely women in low-wage jobs struggling to make ends meet: the child care workforce in Mississippi is 95 percent women—nearly half of whom are Black women—and they earn an average of just \$9.28 per hour.²⁹

Child Care and Development Block Grant (CCDBG) assistance dramatically reduces the cost of child care for low- to moderate-income families who are able to receive help, by providing a voucher that pays all or part of child care.

Unfortunately, federal funding for child care assistance for low-income parents is woefully inadequate relative to the need. Only 10.8 percent of Mississippi children eligible for child care assistance under federal law receive it.³⁰ There were more than 16,000 families on Mississippi’s child care assistance waiting list as of February 2018.³¹ The state was able to serve these families on the waiting list using the new federal CCDBG funds approved in March 2018, and no longer had a waiting list in February 2019, but advocates expect that the waiting list will grow again as families learn that help is available.³²

> THE SOLUTION

To ensure all families have access to affordable, high-quality child care that enables parents to work and children to get a strong start in school and in life, Mississippi should:

- **Provide sufficient state matching funding to draw down the full federal child care allocation.**
- **Provide additional state investments in child care and early education.**

TOGETHER THESE INVESTMENTS SHOULD:

- Increase access to child care assistance for families and ensure eligible families continue to be served without being placed on the waiting list.
- Enable the state to support all types of child care providers by implementing and sustaining sufficient payment rates for providers serving families receiving child care assistance; financial incentives for quality improvement; provider compensation initiatives; and professional development opportunities, coaching, and mentoring.
- Expand the availability of high-quality child care, particularly care that is in short supply, including care during nontraditional hours, infant care, care for children with special needs, care in rural areas, and care in low-income communities.
- Allow the state to fully implement the requirements and provisions of the bipartisan CCDBG reauthorization designed to ensure the health and safety of child care, improve the quality of care, and make it easier for families to access child care assistance while doing so in a way that meets the needs of low-income parents and the providers who serve them and maximizes their participation.
- Make high-quality full-school-day prekindergarten programs available to all four-year-olds whose families want them to participate and expand prekindergarten opportunities for three-year-olds.



> THE CASE FOR CHANGE

Child care assistance helps everyone—more parents can work, children can learn and thrive, and employers can keep skilled, productive workers. By strengthening the current and future workforce, it also bolsters Mississippi’s economy.

.....

A Access to affordable, high-quality child care also allows parents to look for new jobs, go to school, or enroll in training programs.

B A wide array of research demonstrates that mothers are more likely to work when they have stable child care and help affording it.³³ A U.S. HHS study found that specifically increasing CCDBG expenditures would significantly increase the labor force participation and employment rates of low-income mothers.³⁴

C Stable, continuous care is essential for children’s cognitive and socioemotional development, particularly young children. Research shows that children with fewer changes in child care arrangements are less likely to exhibit problematic behavior.³⁵

- 1 Nat'l Women's Law Ctr. calculations based on CENSUS BUREAU, U.S. DEP'T OF COMMERCE, AMERICAN COMMUNITY SURVEY (ACS) 2013-2017 five-year estimates using Steven Ruggles, Sarah Flood, Ronald Goeken, Josiah Grover, Erin Meyer, Jose Pacas, and Matthew Sobek. IPUMS USA: Version 9.0 [dataset]. Minneapolis, MN: IPUMS, 2019. <https://doi.org/10.18128/D010.V9.0>. Pregnant women are those who gave birth within the past year.
- 2 Nat'l Women's Law Ctr. calculations based on 2013–2017 ACS five-year estimates using IPUMS. Women of reproductive age are between 15–49.
- 3 SARAH JANE GLYNN, CTR. FOR AM. PROGRESS, BREADWINNING MOTHERS CONTINUE TO BE THE U.S. NORM Table 1 (2019), available at <https://www.americanprogress.org/issues/women/reports/2019/05/10/469739/breadwinning-mothers-continue-u-s-norm/>.
- 4 Nat'l Women's Law Ctr. calculations based on 2017 ACS one-year estimates Table S1101 using American Fact Finder. Figures are for female householders with no husband present and children under 18.
- 5 See GLYNN, BREADWINNING MOTHERS, *supra* note 3; INST. FOR WOMEN'S POLICY RESEARCH, THE STATUS OF BLACK WOMEN IN THE UNITED STATES Appendix Table 3.3 (2017), available at <https://iwpr.org/wp-content/uploads/2017/06/The-Status-of-Black-Women-6.26.17.pdf>.
- 6 RENEE BISCHOFF & WENDY CHAVKIN, THE RELATIONSHIP BETWEEN WORK-FAMILY BENEFITS AND MATERNAL, INFANT, AND REPRODUCTIVE HEALTH: PUBLIC HEALTH IMPLICATIONS AND POLICY RECOMMENDATIONS 5 (2008), available at http://otrans.3cdn.net/70bf6326c56320156a_6j5m6fupz.pdf; *Your Premature Baby*, MARCH OF DIMES (last visited June 9, 2019), <http://www.marchofdimes.com/baby/low-birthweight.aspx>.
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- 8 James E. Cox Jr., *Pregnancies raise many questions in the workplace*, UPSTATE BUSINESS JOURNAL (Aug. 16, 2018), <https://upstatebusinessjournal.com/pregnancies-raise-many-questions-in-the-workplace/>.
- 9 NAT'L WOMEN'S LAW CTR., PREGNANCY ACCOMMODATIONS IN THE STATES (Sept. 2019), available at <https://nwlc.org/resources/pregnancy-accommodations-states/>.
- 10 INST. FOR WOMEN'S POLICY RESEARCH, *supra* note 5; SARAH JANE GLYNN, CTR. FOR AM. PROGRESS, AN UNEQUAL DIVISION OF LABOR: HOW EQUITABLE WORKPLACE POLICIES WOULD BENEFIT WORKING MOTHERS (May 2018), available at <https://www.americanprogress.org/issues/women/reports/2018/05/18/450972/unequal-division-labor/>.
- 11 Overall, mothers make up 26 percent of low-wage workers, but only 19 percent of all workers in the state. Black mothers make up 15 percent of low-wage workers but only 8 percent of all workers. Nat'l Women's Law Ctr. calculations based on CENSUS BUREAU, U.S. DEP'T OF COMMERCE, AMERICAN COMMUNITY SURVEY (ACS) 2013–2017 five-year estimates using IPUMS.
- 12 Nat'l Women's Law Ctr. calculations based on ACS 2013–2017 five-year estimates using IPUMS.
- 13 *Id.*
- 14 NAT'L P'SHIP FOR WOMEN AND FAMILIES, WORKERS' ACCESS TO PAID SICK DAYS IN THE STATES (May 2015), available at <http://www.nationalpartnership.org/our-work/resources/workplace/paid-sick-days/workers-access-to-paid-sick-days-in-the-states.pdf>.
- 15 U.S. DEP'T OF LABOR, BUREAU OF LABOR STATISTICS, ACCESS TO PAID AND UNPAID FAMILY LEAVE IN 2018 (Feb. 2019), available at <https://www.bls.gov/opub/ted/2019/access-to-paid-and-unpaid-family-leave-in-2018.htm>.
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SECTION 3

PROMOTE OPPORTUNITIES FOR YOUNG WOMEN AND GIRLS



WOMEN DRIVING CHANGE

A PATHWAY TO A BETTER MISSISSIPPI

ENSURE ALL STUDENTS CAN LEARN IN A SAFE ENVIRONMENT: IMPROVE RESPONSES TO SEXUAL HARASSMENT AND ASSAULT IN SCHOOLS

> THE REALITY

Schools should be safe spaces for all students. However, sexual harassment and assault remain common in schools, and too often students experience retaliation when they seek help from their schools. Women and girls of color are disproportionately sexually harassed at school. And Black women and girls are more often treated unfairly by schools that do not respond adequately to their victimization.

In 2017, 57 colleges and universities across 99 campuses in Mississippi reported to the U.S. Department of Education that 41 rapes occurred on campus.¹ For the 2015–2016 school year, 168 girls in Mississippi K–12 schools reported to their schools being bullied or harassed on the basis of sex, 22 reported sexual assault, and three reported rape.² Actual incidents of sexual harassment and sexual assault are likely much higher given that most students do not report because they fear reprisal, believe their abuse was not important enough for anyone else to care about it, are embarrassed, or think no one would help. Only 12 percent of college students who experience sexual assault report to their schools or the police³ and only 2 percent of girls ages 14 to 18 report sexual assault or harassment.⁴

Nationally, 56 percent of girls and 40 percent of boys in grades 7–12 are sexually harassed each school year.⁵ During college, 62 percent of women and 61 percent of men experience sexual harassment, and more than one in five women and nearly one in 18 men are sexually assaulted.⁶ LGBTQ students, girls with disabilities, and girls of color are more likely to experience sexual harassment and assault than their peers.⁷

When students—particularly, Black women and girls—report sexual harassment and assault, too often they face hostility from their schools. Many are disciplined for speaking up, for engaging in so-called “consensual” sexual activity or premarital sex, for defending themselves against their harassers, or for merely talking about their assault with other students in violation of the school’s “gag order.”⁸

Schools are less likely to take complaints from Black girls seriously, and are more likely to blame them by viewing them as more adult and less innocent than their white peers and stereotyping them as sexual.⁹ Black women in college are also too often ignored, pressured to stay silent, or even punished by their schools when they report.¹⁰

When schools fail to intervene to address sexual harassment, students often no longer feel safe and drop out of school, change majors, miss classes, or otherwise lose crucial educational opportunities. Thirty-four percent of college student survivors of sexual assault drop out of college.¹¹

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Nationally, 56 percent of girls in grades 7–12 are sexually harassed each school year.

> THE SOLUTION

Mississippi must ensure schools are safe places to learn.

.....

MISSISSIPPI MUST REQUIRE THAT SCHOOLS:

- Promptly and equitably respond to sexual harassment, regardless of where the harassment occurs.
- Create equitable grievance processes that do not subject students to traumatizing processes or retaliation for reporting.
- Provide student victims with accommodations and services to preserve or restore their access to education.
- Conduct annual climate surveys to understand the environment students are facing and to help fill the gap between what occurs in school and what gets reported.
- Annually provide students and employees with culturally responsive, trauma-informed, age-appropriate training on harassment and sexual violence, how to support survivors, and protocols for responding to sexual harassment and assault.

> THE CASE FOR CHANGE

Our communities want policies that prevent and redress sexual harassment, so everyone can succeed in school and lead healthy and productive lives.

.....

A Under Title IX, the federal antidiscrimination law, schools are required to respond to sexual harassment promptly and equitably, prevent further harassment, and provide interim measures and accommodations to ensure that students have equal access to education. But too many schools around the country are not living up to their obligations. State policymakers need to further enshrine and build upon Title IX's protections.

C Addressing harassment in schools can later help prevent inequalities at work, because the treatment students experience from their peers, teachers, and administrators ultimately shapes workplace norms. Harassment also can hurt girls' ability to succeed at school, which, in turn, hurts their future economic opportunities, reinforcing gender and racial inequalities in the workforce and making them more vulnerable to harassment at work.

B When schools fail to protect student safety by effectively responding to sexual harassment and assault, the impacts can be devastating and long-lasting. Not only are student survivors too often pushed out of school, but traumatic experiences can change the functioning of a child's brain,¹² including making children who experience sexual abuse feel powerless and as though they lack the ability to control their life.¹³ These feelings may develop into behavioral issues that are misunderstood and punished in school settings.¹⁴

HELP GIRLS STAY IN SCHOOL: STOP UNFAIR DISCIPLINE THAT PUSHES GIRLS OUT OF THE CLASSROOM

> THE REALITY

Every child deserves a safe, supportive school where they can learn and thrive. Surveys show that Black girls and other girls of color strive to be leaders. In a 2008 survey, 59 percent of Asian girls, 53 percent of Black girls, and 50 percent of Latina girls expressed a desire to be leaders, compared to 34 percent of white girls and 39 percent of boys overall.¹⁵ In fact, that same survey found that three in four Black girls already saw themselves as leaders—more than any other group of girls or boys.¹⁶

But too often, racist and sexist discipline informed by stereotypes about Black girls pushes them out of school and undermines their potential for success. Schools suspend Black girls more often than they suspend white girls for minor offenses like dress code violations, or subjective offenses like “defiance” or “disobedience.”¹⁷ Harsh discipline policies like corporal punishment combined with an increased presence of school-based law enforcement and unfair disciplinary proceedings drastically increase the number of students suspended, expelled, and arrested or referred to the juvenile justice system, with particular harm to Black students. In the 2015–16 school year, Black girls in Mississippi were suspended from school at 4.7 times the rate of white girls.¹⁸

Because of such severe and frequent discipline, Black girls spend more time out of the classroom, which contributes to poorer academic performance, increased dropout rates, and higher representation in the juvenile justice system. In the 2015–16 school year, although Black girls in Mississippi made up about half (49.9 percent) of all female students, they constituted two-thirds of girls referred to law enforcement (67.6 percent) and almost two-thirds of girls who experienced a school-related arrest (66.1 percent).¹⁹

Gender and race stereotypes underlie disparate discipline rates of Black girls while the impact of trauma is too often overlooked. For example, Black girls who complain about sexual harassment may be labeled as aggressors. Black girls who are assertive and speak up in class may be labeled

as “loud” or showing “attitude.” Behavior that is labeled as “defiant” may in fact be a predictable response to unaddressed trauma or mental health issues. Punishing girls for such behavior instead of providing them with services and support fails to change the behavior or improve their engagement in school and instead may retraumatize them.

Black girls in Mississippi
made up two-thirds of girls
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> THE SOLUTION

Mississippi has taken some promising steps to create safer, more supportive and inclusive schools in recent years. But more can be done to make sure that all young Mississippians are valued and supported in school.

.....

MISSISSIPPI SHOULD TAKE THE FOLLOWING STEPS:

- Expand the state’s ban on corporal punishment of students with disabilities to all students.
- Prohibit the use of exclusionary discipline, like suspension or expulsion, in grades preK–5, and prohibit the use of exclusionary discipline in all grades for minor offenses, such as dress code violations or vague offenses such as “defiance.”
- Boost data transparency by requiring the superintendent’s report on the number of school-based arrests be publicly available, cross-tabulated by race and gender, and include data on the number of suspensions, expulsions, referrals to law enforcement and written citations.
- Make disciplinary hearings fair by requiring schools to apply a preponderance of the evidence standard (i.e., whether it’s more likely than not someone broke the student code) in all disciplinary proceedings instead of the substantial evidence standard in place now (i.e., whether there’s any evidence that indicates a student broke the code, even if that evidence is flimsy or there is more credible evidence proving the student’s innocence).
- Respect the cultural diversity of students by promoting equitable and inclusive dress code policies in schools.
- Require training for teachers, principals, and administrators to recognize and address implicit gender and racial biases and encourage schools to adopt trauma-informed practices.
- Adopt alternative forms of discipline that reinforce positive behavior and provide funding and supports to help address students’ academic, social, emotional and mental health needs, including the replacement of school-based police with mental health professionals and guidance counselors.

> THE CASE FOR CHANGE

Too many Black girls are being kicked out of class for being assertive or standing up for what they believe. These are leadership qualities that schools should be celebrating, not punishing. It's time Mississippi stop undermining the education of tomorrow's leaders and create safe and supportive learning environments.

.....

A Student safety starts by creating a learning environment where everyone feels valued, included and supported—regardless of race, gender or disability. Yet, we all harbor our own preconceived notions that affect how we perceive those who are different from us. That's why schools should ensure that all teachers, administrators, and school staff are trained to recognize their implicit biases and implement culturally affirming curricula and trauma-informed practices, so they are prepared to give any student the support they need to succeed.

B Mississippi must reverse the school-to-prison pipeline so that more students can achieve their potential and break the cycle of poverty that has existed for too long in many communities. Lawmakers can do this by requiring schools to replace harsh discipline policies that push students out of the classroom as early as preschool with practices that promote positive behavior and socio-emotional skills all students need to thrive.

C Parents and community members need accurate information to make sure their kids aren't being unfairly pushed out of school. That's why schools must publicly report accurate and comprehensive data on school discipline and school-based arrest. With this information, parents can work with school leaders to stop school pushout and create better schools.

D A 2018 poll showed that by a margin of more than three-to-one (76 percent to 24 percent) parents support increasing mental health services over hiring more armed guards,²⁰ which could reduce disproportionate rates of school-based arrests and referrals to law enforcement.

HELP YOUNG PARENTS SUCCEED AND THRIVE IN SCHOOL: PROVIDE ACCOMMODATIONS AND SUPPORTS FOR PREGNANT AND PARENTING STUDENTS

> THE REALITY

Every student, including pregnant and parenting students, deserves a quality and equitable education free from discrimination and pushout. When schools support young parents, young parents are able to thrive.²¹ In fact, becoming a parent can motivate a young person to reinvest in education.²²

In focus groups, one student recognized that becoming a parent pushed her to “strive for greatness” and “leave a legacy that [her son] can follow and be proud of.”²³ Another shared, “[My daughter] pushes me to keep doing better. Because if it wasn’t for her I honestly would have just not wanted to keep going to school.”²⁴

Unfortunately, too many pregnant and parenting students are denied the education they need. Only about 50 percent of women who have a child during their teen years will earn a high school diploma by the age of 22, compared with 89 percent of women who did not have a child during that time.²⁵ Our schools are failing young parents.

Ensuring that pregnant and parenting young people are able to succeed in school should be a primary priority for Mississippi. Mississippi has the second highest teen birth rate for 15–19

year-olds in the United States.²⁶ It is likely that girls of color are overrepresented among pregnant and parenting students in Mississippi given that nationally, Latina and Black girls have a higher rate of teen births than white girls.²⁷ While federal law protects pregnant and parenting students from discrimination, too many young parents still experience harmful stigma or stereotyping from their teachers and administrators. In a national survey, 38 percent of pregnant and parenting students reported feeling that their teachers did not want them at school, and 31 percent said their principals did not either.²⁸ Young parents of color may also face racialized stereotypes that can be particularly damaging.

This stereotyping often leads to school policies and practices that do not provide pregnant and parenting students with reasonable accommodations to help them succeed in school. Students who become pregnant will likely have to miss school

for pre- and post-natal appointments; pregnancy-related illnesses; labor, delivery, and recovery; to spend crucial bonding time with their new baby after birth; to care for their sick child; and to attend legal appointments related to their child's custody. Although Title IX, the federal antidiscrimination law, requires schools to excuse all "pregnancy related" absences and give students a reasonable amount of time to make up work, schools are often overly restrictive in what they excuse. Schools often do not allow parents to take time off to bond with a newborn child nor do they excuse absences for a young parent to care for an ill child. Overly punitive absence policies can put students behind academically and can lead schools to require students to repeat a grade level, which puts them further away from accomplishing their goals.

Pregnant students and new mothers may also need homebound instruction or online educational programs to fill the gaps when they are unable to physically attend school. And when pregnant and parenting students are able to attend class, schools often fail to provide the supports they need, such as allowing more time for students to get between classes so they can take a break, use the restroom, eat a snack, or check in on their kids, or establishing private spaces to express breastmilk. Student parents also often lack accessible and affordable child care: in a national survey, 52 percent of students who are pregnant or parenting reported that not having access to child care was a barrier to going to school and 72 percent said that schools would do better for them if they provided child care.²⁹

> THE SOLUTION

Mississippi must do more to ensure that pregnant and parenting students are given the support and protection they need to succeed in school.

MISSISSIPPI SHOULD TAKE THE FOLLOWING STEPS:

- Expand the state's enumerated list of excused absences to specifically excuse pregnancy- and parenthood-related absences for both parents.
- Require schools to provide pregnant and parenting students:
 - with a reasonable amount of time to make up missed work during excused absences;
 - homebound instruction and/or access to online educational programs;
 - reasonable accommodations, like extra time between classes or more frequent restroom breaks, when needed;
 - private lactation spaces and time to express breastmilk or breastfeed their child during school.
- Establish a state taskforce, including students and community members, to discuss the problems facing pregnant and parenting students in Mississippi and recommend solutions.
- Fund child care programs at or near secondary schools and structure eligibility criteria for child care subsidies so that they are easily accessible for student parents.

> THE CASE FOR CHANGE

Student parents are driven to succeed in high school, both to achieve their goals and to support their new families. Schools should embrace and support pregnant and parenting students, not create barriers to their education.

.....

A When schools provide the resources pregnant and parent students need—from adequate time off during a student’s pregnancy and access to homebound instruction to ensuring they have access to high-quality, affordable child care—they will not just succeed but thrive. And that is better for them, their families, and Mississippi.

C Title IX already provides some crucial protections to pregnant and parenting students, but in order to ensure that students’ civil rights are adequately protected, state lawmakers need to pass laws that further enshrine and build upon Title IX protections. States such as New Mexico, Maryland, and California have already done so.

B High-quality programs for student parents that provide academic assistance and supportive services, such as child care and counseling, can improve graduation rates and help student parents move on to post-secondary education or obtain employment after high school.³⁰

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SECTION 4

**EXPAND HEALTH
INSURANCE
COVERAGE AND
INCREASE ACCESS
TO REPRODUCTIVE
HEALTH CARE**



**WOMEN DRIVING
CHANGE**

**A PATHWAY TO A
BETTER MISSISSIPPI**

CLOSE THE GAP: PROVIDE HEALTH COVERAGE TO MISSISSIPPI WOMEN STRUGGLING TO MAKE ENDS MEET

> THE REALITY

Everyone should have coverage of the health care they need. But in Mississippi nearly 100,000 uninsured low-income non-elderly adults fall into a health insurance coverage gap.¹ Nearly 50 percent of those who fall into this coverage gap are women, and nearly half of those women are Black women. The coverage gap is in part because of Mississippi politicians refusing to use available federal money to expand Medicaid.²

Currently in Mississippi, nearly 45,000 women—including over 20,000 Black women—fall in the state’s coverage gap.³ They don’t qualify for traditional Medicaid and also don’t make enough money to qualify for premium tax credits, which help people with low and moderate incomes purchase health insurance through the Affordable Care Act. The majority of employed Mississippi women who fall in this coverage gap work in low-wage occupations⁴ that often don’t offer benefits and/or don’t pay enough for women to be able to afford insurance coverage.

Without health coverage, women struggling to make ends meet are more likely to go without the care they need, are less likely to have a regular source of care, and are likely to utilize essential preventive services at lower rates than low-

income women with health insurance.⁵ In fact, 20.4 percent of Mississippi women reported not receiving health care at some point in the last year due to cost, compared to 12.6 percent nationally.⁶ Only Texas had higher rates.

If Mississippi were to expand Medicaid, 163,000 uninsured nonelderly people would be eligible for health coverage, reaching those currently in the coverage gap and others. Half of those eligible are women and about six in ten are people of color.⁷ And numerous studies show that extending health coverage to adults results in increased health coverage for children.⁸ Expanding Medicaid is critical for the economic security, opportunity, and dignity of Mississippi women and their families.

> THE SOLUTION

Mississippi should ensure that every person in the state has access to affordable, quality health care by taking advantage of federal funding to expand Medicaid.

> THE CASE FOR CHANGE

Expanding Medicaid is not only crucial to improving the health of so many Mississippians, it also a key tool for improving children’s health, improving family economic security, and strengthening Mississippi’s workforce and economy.

A Health insurance makes people healthier. Studies suggest that when people have health insurance they are less likely to have medical debt or postpone care because of cost. And they are more likely to regularly see a doctor and access preventive health services. Importantly, in one study researchers found that people in states that expanded Medicaid were healthier than in states that did not expand.⁹

B Medicaid coverage makes children healthier and has been shown to reduce infant mortality. Mississippi has the nation’s highest infant mortality rate, with an overall rate of 8.9 deaths per 1,000 live births and a rate of 11.3 deaths per 1,000 live births for Black infants.¹⁰ Medicaid expansion could help reduce this rate. A study comparing non-Medicaid expansion states with Medicaid expansion states found that infant mortality rates increased in states without Medicaid expansion, while states that expanded Medicaid reduced their infant mortality rates.¹¹ And states with Medicaid expansion saw even greater declines in infant mortality rates among African American infants.¹²

C Black women’s lives are at risk in Mississippi when they become pregnant, given the state’s particularly high rate of maternal mortality.¹³ Lawmakers in Mississippi should be working to solve this crisis, including by addressing racial bias and expanding Medicaid rather than refusing to take the federal funds available for that purpose.¹⁴

D Medicaid expansion provides meaningful financial protection for families and improves the financial health of the state’s economy. Research has found that states that expanded Medicaid saw overall economic improvement.

E Medicaid plays a critically important role in advancing women’s economic security because it is a job-creator in the health care and social assistance industry—an industry where a high percentage of Mississippi women, and in particular Black women, are employed.¹⁵ In Mississippi, Medicaid spending supports nearly half of all health care and social assistance sector jobs—jobs that are present in every community, and provide economic stability to both rural and urban workers.¹⁶

IMPROVE MISSISSIPPI WOMEN'S ACCESS TO CARE: REMOVE BARRIERS TO BIRTH CONTROL ACCESS

> THE REALITY

Everyone should have access to birth control and related counseling and services that help them decide if, and when, they have children. But many barriers stand in the way of Mississippi women accessing birth control. Removing these barriers so that women can plan, space, and prevent pregnancies is critically important for Mississippi women's health, well-being, and economic security, especially Black women in Mississippi.

Access to birth control provides health benefits for women and children and can be used to manage health conditions like endometriosis and fibroids that are more common in the Black community. Non-coercive access and counseling about the full range of birth control methods improves women's ability to control whether and when they have a child, which is particularly important for Black women who have been targeted for coercive reproductive health policies such as forced sterilization. And birth control fosters women's ability to participate in education and the workforce on equal footing, which is crucial for Black women in Mississippi who continue to be shortchanged by a significant wage gap and disproportionately clustered in the low-wage workforce.

Although the Affordable Care Act's (ACA) birth control coverage requirement eliminated many cost barriers to the full range of birth control methods, benefiting the 523,398 Mississippi women¹⁷ who now have this coverage, there are still barriers that remain. Women who are enrolled in grandfathered health plans, including some state and school employees, do not have this critical coverage.

Barriers keep Black women in Mississippi from obtaining birth control in the first place, and make it harder for them to use their preferred method of birth control consistently.

Even women eligible for the ACA benefit may face difficulties getting their birth control. For example, plans can force women to obtain a prescription before getting coverage of an over-the-counter method. And insurance companies put limits on how much birth control a woman can get at one time. This could force a woman in Mississippi to go to the pharmacy as many as 13 times a year to get her birth control. These unnecessary steps when trying to obtain birth control can be insurmountable. Getting time off from work or school, or having difficulty accessing a provider or pharmacy, either because of inadequate transportation in cities and rural communities or limited clinic or pharmacy hours, makes it difficult for many women to access birth control.¹⁸

These barriers are especially pronounced for women living paycheck to paycheck who may rely on public transportation, for those whose work hours may be unpredictable, or for those who may have difficulty getting to a pharmacy. These barriers fall heavily on Black women who are overrepresented in low paying jobs where unpredictable work hours are particularly common. Not only do these barriers keep women from obtaining birth control in the first place, but they make it harder for women to use their preferred method of birth control consistently. This in turn increases a woman's risk of unintended pregnancy.

> THE SOLUTION

MISSISSIPPI SHOULD IMPROVE ACCESS TO BIRTH CONTROL BY:

- Codifying the ACA's birth control coverage requirements in state law, to make sure it reaches enrollees in state-regulated plans. At the same time, Mississippi should improve upon the requirement by, for example, eliminating medical management and other restrictions—like requiring a prescription for over-the-counter methods—that can keep women from accessing the birth control that is best for them without cost-sharing.
- Requiring private insurance coverage of no less than one full year of birth control dispensed at one time. This is already required in the state Medicaid program. Now is the time to bring private insurance along.

> THE CASE FOR CHANGE

Birth control is basic preventive care that not only improves women's health; it also promotes the overall well-being and economic security of women, children, and families.

A Being able to make the decision about whether and when to have children is linked to greater educational and professional opportunities, increased lifetime earnings, and even higher incomes and college completion rates for a woman's children.¹⁹

B Studies have shown that costs associated with birth control as small as \$6 lead women to forgo it completely, choose less effective methods, or use methods inconsistently or incorrectly, increasing the risk of unintended pregnancy.²⁰

C Women need access to the full range of contraception without cost sharing. The average cost of a full year's worth of birth control pills is the equivalent of 58 hours of work for someone making minimum wage in Mississippi (\$7.25), and the up-front costs of the IUD (over \$1,000), one of the most effective birth control methods, is nearly a month's salary for a woman working full-time at minimum wage.

D It can be difficult for women to pick up their birth control or see their health care provider when they need it. Women may not be able to get time off from work, may not have a ride to a pharmacy or clinic, or may not be able to get to a pharmacy or clinic when it is open. In one study, when women were able to obtain a full year of birth control at one time, their odds of pregnancy decreased by 30 percent.²¹

IMPROVE MISSISSIPPI WOMEN'S ACCESS TO CARE: REMOVE BARRIERS TO ABORTION ACCESS

> THE REALITY

Every woman deserves access to the reproductive health care she needs, including abortion, without medically unnecessary restrictions getting in the way. However, Mississippi politicians continue to pass increasingly burdensome and unconstitutional abortion restrictions, demonstrating an appalling lack of concern or understanding of the reality of women's lives, especially for the women of color who are most affected by these barriers.

In Mississippi, the state with the highest percentage of Black residents in the country,²² Black women are particularly impacted by the lack of access to reproductive health care. In a state with a maternal mortality rate that is 1.2 times higher than the national average—and a Black maternal mortality rate that is nearly three times the rate for white women²³—lawmakers should be focused on passing laws that increase access to reproductive health care, rather than advancing restrictions.

Access to reproductive health care, including abortion, is critical to ensure Mississippi women's dignity, equality, economic security, and ability to care for their families. Yet, because of Mississippi's harmful anti-abortion laws and regulations, women in Mississippi face a dire situation when it comes to accessing abortion. Mississippi has only

one remaining abortion clinic in the state, which means that 99 percent of Mississippi counties have no clinics that provide abortion. Ninety-one percent of Mississippi women live in those counties;²⁴ as a result, most women in Mississippi seeking abortion, particularly women in rural areas, are forced to travel hundreds of miles roundtrip to obtain an abortion. This requires them to pay for child care, transportation, and hotel costs, lose wages, and negotiate time off from work.

Even if a woman is able to reach a clinic, she faces a number of medically unnecessary, burdensome requirements imposed by the state. After she arrives for her appointment, a woman must undergo an ultrasound and listen to medically inaccurate, state-directed counseling that is designed to discourage her from having an abortion. Then she must satisfy

Mississippi's mandatory delay requirement by waiting another 24 hours before obtaining an abortion, a requirement that necessitates two separate trips to the clinic. For many women in Mississippi, these medically unnecessary and burdensome barriers will increase both the direct and indirect cost of the procedure, pushing abortion later into pregnancy or out of reach entirely. These restrictions will have a particularly harmful effect on the 20 percent of Mississippi women living in poverty²⁵ and Black women in Mississippi who are overrepresented in low-wage jobs, often with unpredictable work schedules, and are substantially more likely to live below the poverty line compared to white women.²⁶

Despite the fact that Mississippi politicians have already made it extremely difficult, and in some cases impossible, for women to obtain an abortion, they continue to pass unconstitutional abortion bans as a direct challenge to

Roe v. Wade. Mississippi already has a ban on abortion after 16 weeks in pregnancy. And in 2019, Mississippi politicians passed a law that would ban abortion as early as six weeks into pregnancy, before many women even know they are pregnant. This unconstitutional abortion ban has been challenged in court. Defending this unconstitutional law and others passed by Mississippi politicians is costing the state significant resources that should instead be spent to increase women's access to care, not to limit it.

These restrictions will have a harmful effect on the 20 percent of Mississippi women living in poverty and Black women in particular.

> THE SOLUTION

Mississippi women deserve access to the full range of reproductive health care, including abortion.

.....

MISSISSIPPI SHOULD:

- Repeal medically unnecessary or unconstitutional abortion restrictions, including abortion bans, mandatory ultrasound requirements, biased counseling laws, and Mississippi's mandatory delay requirement.
- Enact proactive policies that would increase access to abortion, including those that forbid government interference in the right to abortion and codify the right to abortion in state law, ensure insurance coverage of abortion, and prevent discrimination on the basis of one's reproductive health decisions.

> THE CASE FOR CHANGE

Mississippi women deserve access to the full range of reproductive health care, including abortion. The medically unnecessary and burdensome restrictions forced on Mississippi women who have decided to have an abortion are harming women. It's time to put an end to efforts to shame and judge Mississippi women seeking abortion.

.....

A For over 45 years, the U.S. Supreme Court has repeatedly made clear that women have a constitutionally protected right to decide whether to have an abortion. Yet, Mississippi lawmakers are trying to make an end run around these protections—passing blatantly unconstitutional laws in order to create an opportunity for a newly constituted Supreme Court to overturn *Roe v. Wade*.

B Women denied an abortion are more likely to be living in poverty one year later than women who are able to obtain an abortion. A study found that despite being on similar socioeconomic footing at the time they were seeking an abortion, women denied an abortion were more likely to be worse off financially, to be unemployed, and to be living below the federal poverty line one year later than women who were able to have an abortion.²⁷

C Restrictions on a woman's ability to access abortion have a discriminatory impact. Financial burdens imposed by abortion restrictions delay care and fall hardest on single women and Black, Latina, and Native women who are struggling to make ends meet.

D Nine in 10 women of color think that a woman being able to control if, when, and how she has children provides individual and societal benefits.²⁸

E Strong majorities of voters agree that control over one's own reproductive health care is critical to equality, and more than two-thirds of voters support access to abortion.²⁹ Mississippi politicians must acknowledge what women already know: reproductive health care, including abortion, is essential to women's dignity, well-being, and economic security.

- 1 Nat'l Women's Law Ctr. calculations based on CENSUS BUREAU, U.S. DEP'T OF COMMERCE, AMERICAN COMMUNITY SURVEY (ACS) 2017 one-year estimates using Steven Ruggles, Sarah Flood, Ronald Goeken, Josiah Grover, Erin Meyer, Jose Pacas, and Matthew Sobek. IPUMS USA: Version 9.0 [dataset]. Minneapolis, MN: IPUMS, 2019. <https://doi.org/10.18128/DO10.V9.0>. The coverage gap in Mississippi includes non-elderly, childless adults below 100 percent federal poverty level (FPL) and non-elderly parents above 26 percent but below 100 percent FPL whose incomes fall below the level where tax credits to buy private insurance becomes available. Calculations on the coverage gap are based on Mississippi's Medicaid eligibility thresholds and therefore approximations.
- 2 It is important to note that federal law restricts Medicaid coverage of abortion except if the pregnancy is the result of rape or incest, or if the woman's life is in danger. This is commonly known as the "Hyde Amendment." See, e.g., Continuing Appropriations Act, 2019, Pub. L. No. 115-245 (2018). While some states step in and provide coverage of abortion for those with Medicaid coverage, Mississippi only covers in cases of fetal abnormality beyond the Hyde exceptions.
- 3 Nat'l Women's Law Ctr. calculations based on 2017 ACS one-year estimates using IPUMS.
- 4 *Id.* Over 60 percent of employed women in the coverage gap work in low-wage jobs.
- 5 THE HENRY J. KAISER FAMILY FOUND., WOMEN'S HEALTH INSURANCE COVERAGE (Oct. 2017), available at <https://www.kff.org/womens-health-policy/fact-sheet/womens-health-insurance-coverage-fact-sheet/>.
- 6 Centers for Disease Control and Prevention, Nat'l Ctr. for Chronic Disease Prevention and Health Promotion, Div. of Population Health, *BRFSS Prevalence & Trends Data*, CDC (last reviewed June 20, 2019), <https://www.cdc.gov/brfss/brfssprevalence/>.
- 7 Henry J Kaiser Family Foundation, *Uninsured Adults in Mississippi Who Would Become Eligible for Medicaid Under Expansion*, KFF (Apr. 15, 2019), <https://www.kff.org/medicaid/fact-sheet/uninsured-adults-in-states-that-did-not-expand-who-would-become-eligible-for-medicaid-under-expansion/>.
- 8 GEORGETOWN UNIVERSITY HEALTH POLICY INST., CTR. FOR CHILDREN AND FAMILIES, HEALTH COVERAGE FOR PARENTS AND CAREGIVERS HELPS CHILDREN (March 2017), <https://ccf.georgetown.edu/wp-content/uploads/2017/03/Covering-Parents-v2.pdf>.
- 9 Margo Sanger-Katz, *Obamacare Appears to be Making People Healthier*, THE NEW YORK TIMES (Apr. 9, 2016), <https://www.nytimes.com/2016/08/09/upshot/obamacare-appears-to-be-making-people-healthier.html> ("Low-income people in Arkansas and Kentucky, which expanded Medicaid insurance to everyone below a certain income threshold, appear to be healthier than their peers in Texas, which did not expand.").
- 10 AMERICA'S HEALTH RANKINGS, ANNUAL REPORT: MISSISSIPPI (2018), available at <https://www.americashealthrankings.org/explore/annual/measure/IMR/state/MS>.
- 11 C.B. Bhatt & C.M Beck-Sagué, *Medicaid Expansion and Infant Mortality in the United States*, 108 AM J PUBLIC HEALTH 565-567 (2018), available at <https://www.ncbi.nlm.nih.gov/pubmed/29346003>.
- 12 *Id.*
- 13 MISS. STATE DEP'T OF HEALTH, *Mississippi Maternal Mortality Report 2013-2016 5* (April 2019), https://msdh.ms.gov/msdhsite/_static/resources/8127.pdf.
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- 19 NAT'L WOMEN'S LAW CTR., *REPRODUCTIVE HEALTH IS PART OF THE ECONOMIC HEALTH OF WOMEN AND THEIR FAMILIES* (Feb. 2016), available at <https://nwlw-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2017/02/Reproductive-Health-is-Part-of-the-Economic-Health-of-Women-2.19.166.pdf>.
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