



2014 National NOW Conference Resolutions

passed June 29, 2014

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STRATEGY SUMMIT IN 2015

WHEREAS, the National Organization for Women has achieved momentous change in the half-century since our founding; and

WHEREAS, we recognized in NOW's 1998 Declaration of Sentiments that, "Today, we fight the same reactionary forces: the perversion of religion to subjugate women; corporate greed that seeks to exploit women and children as a cheap labor force; and their apologists in public office... But we will keep moving forward"; and

WHEREAS, in 1998, on the 150th anniversary of the first women's rights conference in Seneca Falls, we set aside usual national NOW conference agenda and dedicated ourselves to developing a vision for the future, which declared:

- "We envision a world where women's equality and women's empowerment to determine our own destinies is a reality;
- "We envision a world where women have equal representation in all decision-making structures of our societies;
- "We envision a world where social and economic justice exist, where all people have the food, housing, clothing, health care and education they need;
- "We envision a world where there is recognition and respect for each person's intrinsic worth as well as the rich diversity of the various groups among us;
- "We envision a world where non-violence is the established order;
- "We envision a world where patriarchal culture and male dominance no longer oppress us or our earth;
- "We envision a world where women and girls are heard, valued and respected"

WHEREAS, anytime NOW uses the term “women” or “woman” it includes those who identify as women;

WHEREAS, at the 2014 national NOW conference we re-committed to NOW’s longstanding dedication to diversity, inclusion and intersectionality as an integral part of the feminist future we envision; and

WHEREAS, we need to develop a set of objectives to realize our shared vision;

THEREFORE BE IT RESOLVED, that the national NOW conference in 2015 be a Strategy Summit and that the usual conference agenda be set aside as it was for the Vision Summit; and

BE IT FINALLY RESOLVED, that the national NOW board develop the process for conducting the Strategy Summit, seeking input from NOW activists at all levels of our organization.

PAYCHECK FAIRNESS ACT

WHEREAS, according to the 2012 census, women who work full time earn on the average 77 cents for every dollar a white man earns; and

WHEREAS, the figures are worse for African American and Latina women, earning only 64 cents and 54 cents respectively for each dollar earned by men; and

WHEREAS, the Paycheck Fairness Act will help secure equal pay for all Americans; and

WHEREAS, the Equal Pay Act of 1963 has not been able to achieve its promise of closing the wage gap because of limited enforcement tools; and

WHEREAS, the Paycheck Fairness Act would make critical changes strengthening penalties for equal pay violations; and

WHEREAS, the Paycheck Fairness Act prohibits retaliation against workers who inquire about their employers wage procedures or disclose their own wages; and

WHEREAS, the Paycheck Fairness Act requires employers to demonstrate that wage differentials are based on factors other than sex,

WHEREAS, the Paycheck Fairness Act failed in the Senate by seven votes on April 09, 2014;

THEREFORE, BE IT RESOLVED, that the members of the National Organization for Women strongly support the Paycheck Fairness Act; and

BE IT FINALLY RESOLVED, that members of NOW lobby the members of the U.S. Congress to pass the Paycheck Fairness Act.

INTERSECTIONALITY INCLUDES WOMEN WITH DISABILITIES

WHEREAS, disability rights are civil rights and human rights; and

WHEREAS, women with disabilities are a part of NOW; and

WHEREAS, women with disabilities are underrepresented at NOW events; and

WHEREAS, NOW discussions that relate to intersectionality seldom include women with disabilities;

THEREFORE BE IT RESOLVED, that NOW conference events and discussions will include presenters who are women with visible and/or invisible disabilities; and

BE IT FINALLY RESOLVED, that the concept of intersectionality be understood to include all forms of discrimination that women may experience, including discrimination based on disability status.

INCLUSIVE LANGUAGE FOR GENDER AND SEXUAL IDENTITIES

WHEREAS, the National Organization for Women's (NOW's) mission centers itself on the inclusion of "all women," regardless of sex, gender, sexuality, race, ethnicity, national origin, socioeconomic status, ability, and age; and

WHEREAS, people who do not self-identify within the LGBT acronym are still adversely affected by discrimination based on sexual orientation, sex, and gender; and

WHEREAS, the issues that are included in NOW's multi-issue structure include, but are not limited to, women who identify as straight, lesbian, bi, or transgender; and

WHEREAS, intersex, asexual and queer identities do not negate an individual's ability to self-identify as a woman; and

WHEREAS, the LGBT acronym NOW currently subscribes to excludes individuals who have been previously included in past resolutions and/or in the inclusionary mission of NOW to advocate for "all women";

THEREFORE BE IT RESOLVED, that from this time on, LGBTQIA will serve as the official acronym whenever NOW refers to previously known LGBT rights, issues, and people; and

BE IT FINALLY RESOLVED, that NOW will continue to work to use language that reflects the evolving identities of persons for whom it advocates.

EXPAND PREGNANT WOMEN'S RIGHTS

WHEREAS, the rights of all women are paramount to the National Organization for Women (NOW); and

WHEREAS, agency over her own body is essential to every woman's freedom; and

WHEREAS, the criminalization of pregnant women for substance abuse, addiction, or a history of substance abuse disproportionately affects women of color and poor women; and

WHEREAS, the criminalization of pregnant women grants fetal rights over a woman's bodily autonomy and liberty; and

WHEREAS, the American College of Obstetricians and Gynecologists (ACOG) and the National Advocates for Pregnant Women (NAPW) have both found this practice of criminalizing women objectionable; and

WHEREAS, criminalizing pregnant women deters pregnant women with substance abuse issues from seeking prenatal care or medical assistance;

THEREFORE BE IT RESOLVED, that NOW will use its legislative and legal resources at the state level to help repeal legislation that allows states to criminalize and incarcerate pregnant women for substance abuse issues or substance abuse history; and

BE IT FINALLY RESOLVED, that NOW will support legislation that protects the rights of these pregnant women.

PAY EQUITY FOR TIPPED WORKERS

WHEREAS, when the federal minimum wage standard was adopted by Congress in 1938, it did not cover domestic, retail, and farm workers or tipped workers (including restaurant wait staff, bartenders, delivery workers, hair stylists, and manicurists), thus excluding millions of women and people of color; and when Congress adopted a federal minimum wage for tipped workers in 1966, it represented only 50% of the minimum wage for other workers; and

WHEREAS, national studies (including by the National Employment Law Project in 2009 and the Economic Policy Institute in 2011) have found that the poverty rate for wait staff is three times the rate of the American workforce as a whole; and

WHEREAS, Congress has not increased the federal minimum wage for tipped workers since 1991, and the current standard of \$2.13 an hour now represents less than 30% of the standard minimum wage for other workers; and

WHEREAS, eighteen (18) states do not have state minimum wage laws for tipped workers (Alabama, Georgia, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Nebraska, New Jersey, New Mexico, North Carolina, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, and Wyoming), so these workers' wage rate is \$2.13 an hour; and

WHEREAS, eight (8) states have state minimum wage laws for tipped workers that provide less than \$3.00 an hour (Arkansas, Delaware, Washington D.C., Massachusetts, Michigan, Pennsylvania, Rhode Island, and Wisconsin); and

WHEREAS, there is a lack of enforcement of the minimum wage laws for tipped workers (such as requiring employers to augment wages if tip income fails to bring earnings up to the standard minimum wage) and wage theft is common (such as not passing along tips included on credit cards or forcing tipped workers to share earnings); and

WHEREAS, the National Organization for Women (NOW) is on record as supporting the Restaurant Opportunities Centers United proposal to increase the federal tipped minimum wage to 70% of the standard minimum wage, but Congress has failed to pass this measure due to pressure from the National Restaurant Association;

THEREFORE BE IT RESOLVED, that NOW work with allies in Congress to establish a minimum wage rate for all workers; and

BE IT FINALLY RESOLVED, that NOW chapters and state organizations work with workers' centers, unions, and legislators to have their states eliminate the differential between minimum wage rates for tipped workers and other workers as seven (7) other states have done (Alaska, California, Minnesota, Montana, Nevada, Oregon, and Washington) while continuing to see growth in the restaurant industry with little or no increase in the price of their menu items.

SUPPORT FOR ARBITRATION FAIRNESS ACT (2013-4) S. 878

WHEREAS, one of the reasons the National Organization for Women (NOW) was formed was to ensure the enforcement of Title VII of the 1964 Civil Rights Act prohibiting employment discrimination against women; and

WHEREAS, corporations are increasingly using forced arbitration requirements in employment contracts (even for submission of resumes) that require employees to bring all disputes to arbitrators who rely on major corporations for repeat business; and

WHEREAS, a series of U.S. Supreme Court decisions have held that forced arbitration clauses allow corporations to prevent employees and consumers from exercising their right to join together in class actions (April 2011 *AT&T Mobility v Concepcion* and June 2013 *American Express v Italian Colors Restaurant*); and

WHEREAS, forced arbitration weakens the value of federal and state laws intended to protect employees from discrimination by removing their ability to enforce these laws in court, and at risk are provisions of the Lilly Ledbetter Fair Pay Act, the Equal Pay Act, the Family and Medical Leave Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act, and the Civil Rights Act of 1964 and 1991;

THEREFORE, BE IT RESOLVED, that NOW support the Arbitration Fairness Act (2013-14) S. 878 introduced by U.S. Senator Al Franken (D-MN), which would restore transparency and access to our civil justice system by making forced arbitration unenforceable in civil rights, consumer, and antitrust disputes while allowing individuals, consumers, and unions to decide how to resolve disputes after a dispute arises (which may mean using voluntary arbitration); and

BE IT FURTHER RESOLVED, that NOW chapters and state organizations seek to increase Senate co-sponsors beyond the current 24 senators; and

BE IT FINALLY RESOLVED, that NOW seek to have the Office of Federal Contract Compliance (OFCCP) issue rules prohibiting federal contractors from denying access to the full enforcement of civil rights laws through forced arbitration requirements.

FORESIGHT 2020

WHEREAS, legislative progress that supports women's rights must advance from both federal and state level legislative bodies; and

WHEREAS, the opposition has made it clear that women's rights will be written out of state as well as federal laws unless we stop them; and

WHEREAS, Congress is not interested in passing many laws while state legislative bodies are fighting to roll back our rights left and right; and

WHEREAS, we must fight for a feminist female president in 2016, while keeping in sharp focus the gains we need in 2014, 2018, and 2020; and

WHEREAS, reapportionment and redistricting after the 2020 census will be a critical time in the advancement of rights due to the creation of new electoral districts and changes in existing ones;

THEREFORE, BE IT RESOLVED, that the National Organization for Women (NOW) take action to galvanize a feminist field force in preparation for 2020; and

BE IT FURTHER RESOLVED, that NOW organize the Rising American Electorate, individuals with disabilities, the LGBTQIA community, and other traditionally marginalized groups; and

BE IT FURTHER RESOLVED, that NOW collaborate closely and intensely with all state chapters and PACs for the purpose of recruiting and electing feminist candidates throughout the 51 states who will be instrumental in expanding rights after 2020; and

BE IT FINALLY RESOLVED, that NOW begin to plan a publicity and voter education campaign for the feminist field force internally and externally as appropriate.

AN ACCOUNTABLE NATIONAL WOMEN'S HISTORY MUSEUM AND DEMOCRACY PLAN FOR ACTION

WHEREAS, the time has come to build a national museum of women's history on the National Mall to reflect the story of how women and men in the oldest organized women's movement have led the world in advocating for women's equality and in so doing are broadening the concept of democracy to fully embrace the equal rights of women; and

WHEREAS, women's history is also unique in that while women have contributed to American public life since revolutionary and colonial days, formal women's history remains largely invisible but is evolving through the contributions of museum professionals with the Smithsonian Institution, the Library of Congress, the U.S. Park Service, Sewall-Belmont House, the National Women's History Project; and regional and local museums; and

WHEREAS, a private effort to plan for a national women's history museum has been underway for the past 17 years, and the U.S. House of Representatives recently passed H.R. 863, Commission to Study the Potential Creation of a National Women's History Museum (NWHM), and a similar bill, S. 398, is pending in the Senate, with the legislation being placed on an unlimited, confidential hold; and

WHEREAS, passage of the NWHM commission legislation set off an uproar among conservative women's groups and the NWHM has been criticized as being a plan to brainwash women in feminist views, and with the chair of the Concerned Women for America demanding that she be appointed chair of the commission; and

WHEREAS, this legislation authorizes a commission to study the potential (rather than intended) creation of a private women's history museum and includes only 8 members chosen from highly restrictive types of combined expertise, bans compensation for commission members and prohibits public funding, provides a limited timeframe of only 18 months, exempts the commission's proceedings from the Federal Advisory Commission Act that requires open meetings, public notice and report; and

WHEREAS, a new museum focused on women's history should be a truly national museum that is both a public and private entity supported by public funding and private donations as many major museums require and with a strong affiliation with the Smithsonian Institution in order to ensure that this public purpose is ensured and that the highest quality of its work is promoted;

THEREFORE, BE IT RESOLVED, that NOW places its full support behind the creation of a truly national, authentic, inclusive and accountable public national women's museum on the National Mall that reflects the full history of women in the U.S., the work of many women leaders and organizations throughout American history to expand democracy and women's rights, and with appointment of commission members in consultation with major women's organizations and recognized women's history scholars; and

BE IT FURTHER RESOLVED, that NOW calls upon the Administration and Congress to adopt legislation and take other steps to establish the NWHM and Democracy Plan for Action Presidential Commission to develop implementing recommendations for the establishment and maintenance of the NWHM and Democracy in Washington, DC as a public-private entity with sufficient funding for the planning commission members, consultants and operations, along with a programmatic plan of action that is vetted and developed with extensive public and scholarly input; and

BE IT FURTHER RESOLVED, that the legislation establish an independent, professional commission not connected to any existing private entity, but is typical of all commission efforts intended to plan and establish a federally-sponsored museum on the National Mall, including as part of the structure the Department of the Interior and National Park Service, which have expertise in planning, staffing and curating such museums; and

BE IT FINALLY RESOLVED, that to achieve these ends that NOW will work with others to recommend to the administration and Congress that the structure of the NWHM and Democracy Plan for Action Presidential Commission should have a large enough membership (up to 25 members); adequate authorization (up to two years); public resources (including staffing) as well as requirements for membership diversity (racial and ethnic) as well as inclusion of activists and experts drawn from women's organizations and those with expertise in the American women's movements regardless of academic specialty.