Fair Work, Fair Care: Closing New Jersey’s Gender Gap to Expand Economic Opportunity for All

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Women are participating in New Jersey’s work world like never before, thanks in part to lower fertility rates, rising educational attainment, expanded child care services, better health care and changing social norms. About 57 percent of all New Jersey women are in the labor force, the majority of those who are employed are working full time. And more than ever women are their families’ primary or sole breadwinners.

Despite this progress, significant gender gaps in economic security and wellbeing remain.

- While women comprise 47 percent of the state’s workforce, 53 percent of low-paid workers are women.
- Overall, New Jersey women who work full-time, year-round are paid 82 cents for every dollar paid to men.
- Hundreds of thousands of New Jersey women live in poverty at rates higher than New Jersey men or families.
• Over a lifetime, outdated workplace policies rob women and their families of their ability to make ends meet, build better lives and save for retirement.

In 2015, 11.7 percent of the state’s women lived below 100 percent of the federal poverty level, compared to just 9.8 percent of men. That means that women make up 56 percent of total New Jerseyans living in poverty, despite making up just 51 percent of the population. And serious disparities between white and Asian women and other women of color exist.

New Jersey’s female-headed families also face poverty at higher rates than other families. In 2015, 22.6 percent of the state’s female-headed families lived below the federal poverty level, compared to 8.1 percent for all families and 4 percent for married-couple families.

The situation gets worse for female-headed families with children – who had a 33.6 percent poverty rate in 2015 – and for female-headed families of color: the rate for black female-headed families was 27 percent and for Hispanic female-headed families, it was 35.5 percent.

Everyone benefits when working women across the income spectrum experience greater economic security and are able to spend more money in their communities, gain a foothold on the ladder to opportunity and invest more fully in the state’s economy. State policy interventions can reduce gender gaps by removing barriers that block women and their families from reaching their economic potential.

And despite tremendous progress that women of color have made in New Jersey – from educational attainment to breaking workplace barriers – these achievements can obscure the very real challenges and disparities that persist for women of color. Women of color, specifically
Black and Latinas, still face higher rates of poverty and receive lower wages for their work than their white peers. Further, when women are the primary or sole breadwinners are nearly half of all households of color, these disparities affect not only them but their children and communities too. The economic potential of working women can only be strengthened if we incorporate principles of equality and inclusiveness that enable women of every race and ethnicity to prosper.

Lawmakers should begin to address barriers and disparities that still exist for New Jersey women by:

- Enacting the Pay Equity Act
- Raising the Minimum Wage
- Improving Paid Family Leave
- Guaranteeing Paid Sick Days
- Making Child Care More Affordable
- Improving Access to Reproductive Health Care
- Strengthening the Safety Net

### Enact the Pay Equity Act

The facts are clear: New Jersey women are paid less than men – and the wage gap is even more drastic for women of color.
When compared to the earnings of white men specifically, the earnings gaps grow even larger.

Over the course of a 40-year career, these gaps add up.
Opponents of pay equity frequently try to explain away pay gaps by arguing that women opt into lower-paid professions. It is true that, for reasons beyond the scope of this report, women continue to be underrepresented in management occupations as well as computer, engineering and science-related occupations. And New Jersey women tend to work predominantly in the so-called “pink collar” sector – lower paid occupations in education, social services and health care support. But women earn less than men even within these industries, holding discrepancies in personal choices constant. And researchers have found that over 40 percent of the overall gap is left unexplained after controlling for industry, experience and education.

For women with college degrees, especially Black and Latina women, the gender pay gap means that student loan debt may prevent women from reaping the same benefits of their educational investment as their male peers. A study from the American Association of University Women found women are 25 percent less likely to pay off their student debt within four years than men, and the difference is even more pronounced for Black and Latina women, who are 79.5 and 93 percent less likely, respectively, to pay off their student debt within four years than men.

These issues aren’t new. In 1963, the federal government made attempts to address them with the passage of the federal Equal Pay Act, which requires employers to pay men and women equally for substantially similar work. And yet the persistence of the wage gap shows the weakness of this policy. If progress toward pay equity continues at the current rate the disparity between women’s and men’s earnings in New Jersey will not close until the year 2055.

Persistent inequality for working New Jersey women translates to less income for families and higher rates of poverty. If New Jersey women received equal pay with comparable men, poverty for working women would be reduced by more than half from 4.4 percent to 2.1 percent. For working single mothers, the poverty rate would shrink from 17.9 percent to 8.2 percent.

Eliminating the wage gap helps improve state finances by reducing public costs. Equal pay for women would ensure that state safety net programs serve families who have fallen on hard times - not act as a $726 million taxpayer-supported subsidy to employers that fail to pay their workers fairly.

Closing the gender wage gap could also give New Jersey a tremendous economic boost, adding a potential $16.6 billion each year to the state economy, increasing the state’s output by 3 percent. If all working women in New Jersey were paid the same as male peers - men of the same age, level of education, area of residence, and who work the same number of hours - women’s average earnings would increase by $7,899.
A pay equity bill passed by legislature would push New Jersey’s anti-discrimination protections beyond what the federal government currently requires, giving workers the right to recoup back pay for their entire term of employment if discrimination is proven (instead of only two years). It would also triple penalties for damages and would require companies with state contracts to report their employees’ gender, race, job title and compensation. Gov. Christie conditionally vetoed the bill in 2016 citing concerns about stiff penalties and reporting regulations as a burden for employers.

**Make the Minimum Wage a More Livable Wage**

The state minimum wage of $8.44 an hour is beyond inadequate to enable working families to make ends meet in high-cost New Jersey. Women suffer disproportionately from this unconscionable policy.

That’s because women are disproportionately represented in low-paid jobs, like caring for children and seniors, cleaning homes and offices and waiting tables. Even though women make up just 47 percent of the workforce, they make up 53 percent of New Jersey’s low-paid workers.

Consider this: A mother with two children, working full time for New Jersey’s minimum wage, would earn $16,880 in a year – more than $2,400 below the federal poverty line. To put that in perspective, an adult with two children in the Camden metro area needs to make over $68,500 in a year to make ends meet and acquire an adequate standard of living. In the Passaic metro area, that figure rises to close to $76,000.

Increasing New Jersey’s minimum wage to $15 an hour would directly boost the pay of about 975,000 workers and help many working people lift their families out of poverty. And raising the minimum wage is an important step toward closing New Jersey’s wage gap, especially for women of color. Half of low-paid workers in New Jersey are people of color despite being just 41 percent of the state’s workforce.

A bill to increase the minimum wage to $15 by 2021 was passed by New Jersey legislature but vetoed by Gov. Christie in 2016. This bill was advanced just three years after New Jersey voters authorized a constitutional amendment that increased the state's minimum wage by $1 to $8.25 and tied it to the cost of living. That increase helped the lowest-paid New Jersey workers, but it...
left out hundreds of thousands of workers who still aren’t paid anywhere close to what it takes to get by in the Garden State.

The vetoed bill would have helped 515,000 of New Jersey’s working women, or 28 percent of all women working in the state. But even it had flaws. Excluded from the bill were people who work in tipped jobs, such as servers, bartenders and valet attendants – most of whom are women. When minimum wage laws leave behind tipped workers, they leave behind women.

Employers in New Jersey are only required to pay tipped workers the federal tipped minimum wage of $2.13 an hour, a wage that hasn’t increased in 26 years. While employers are obligated to make up the difference when tips don’t add up to at least the state minimum wage, many employers fail to do this. Women make up 71 percent of tipped workers in New Jersey and live in poverty at a higher rate than of other working women.¹⁶

New Jersey should follow the lead of Alaska, California, Minnesota, Montana, Oregon and Washington, which have all eliminated the tipped minimum wage without harming job growth, including in the restaurant industry. Tipped workers should be entitled to the same minimum wage as all workers, so they can depend on a paycheck even when unpredictable tips come up short and make it impossible to cover regular expenses.

**Improve New Jersey’s Paid Family Leave Program**

New Jersey was a national trailblazer on paid family leave – just the second state in the nation to adopt such a policy. The availability of paid family leave in New Jersey has been great for men, women and their children, and an economic asset and competitive advantage for Garden State businesses.

But nine years later, it’s clear the policy is falling far short of its potential, with too few New Jerseyans taking advantage of the program – if they are even aware of it.

Because 72 percent of New Jersey’s female workers have small children at home,¹⁷ paid family leave is a vital benefit that helps keep mothers employed and, crucially, helps working mothers
grow their incomes after having a child. Women who take paid leave are 54 percent more likely to report salary increases in the year following the birth than those who don’t.\textsuperscript{18} In contrast, mothers without paid leave may experience financial struggles, often leaving the labor force to care for children.\textsuperscript{19} These gaps in employment lead to an immediate loss of income and long-term loss of earnings power.

On average about 31,000 New Jerseyans have used paid family leave in each full year of its existence.\textsuperscript{20} This means that only an estimated 12 percent of eligible new parents are using the employee-funded benefit.\textsuperscript{21} What’s more, the usage rate for new parents has remained close to flat since the introduction of paid family leave – rising to just 13 percent in 2014 from 11 percent in 2010. In contrast, 17 percent of eligible new parents in California have used that state’s paid leave program since inception (and 20 percent in the most recent year for which data is available).

Since men and women are equally eligible to apply for family leave insurance, the policy should reduce disparities between mothers and fathers on salaries, workplace promotions and childcare duties.\textsuperscript{22} But that has not been the case. New Jersey women are using paid family leave far more than men – comprising 86 percent of all eligible claims. When it comes to leave to bond with a new child – which makes up the overwhelming majority of paid leave taken in New Jersey – men comprise an even smaller share, at just 12 percent. In other states with paid leave, this share is much higher: men make up 33 percent of bonding claims in Rhode Island and 29 percent in California.

While this can be attributed to many factors, including cultural norms, lack of awareness and lack of job protection, New Jersey’s inadequate wage replacements clearly play a role: With men earning $12,000 a year more on average than women, many men stand to lose larger chunks of their take-home pay by taking paid family leave.

New Jersey could strengthen the paid family leave program with modest, low-cost improvements. Chief among them: Increase the current two-thirds wage replacement to make leave more affordable for low-income workers; raise the very low cap on earnings to enable more middle- and higher-paid workers to afford leave; include job protections for those taking leave; expand outreach efforts to ensure greater awareness of the program; allow workers to take 12 weeks of paid leave (increased from six); and expand the definition of “family” under the law to ensure more caregivers are eligible for paid leave.

**Guarantee Earned Sick Days**

Today over 1 million New Jerseyans – mostly working in low-wage jobs – don’t get paid when they need to take time off because they are sick or need to care for an ailing loved one. This is
especially difficult for working parents. With 80 percent of mothers primarily responsible for arranging and accompanying their children to doctor’s appointments,\(^{23}\) earned sick leave is vital for working mothers.

This is especially true for single parents with children, who often have fewer resources and are more likely to be sole caregivers. Of the approximately 560,000 New Jersey women who lack access to earned sick days, more than one in three (about 214,000) are unmarried with children under the age of 18.\(^{24}\) Paid time off would help these families achieve economic security by allowing them to attend to their children’s health without losing a needed paycheck or losing their job.

Twelve New Jersey cities have passed their own earned sick days policies. As more municipalities follow suit, momentum is building to pass a comprehensive state law. This policy would be of particular help to businesses – leveling the playing field between companies that voluntarily offer leave and those that do not. And, by increasing productivity and reducing turnover costs, businesses employing the 1.25 million workers who don’t currently have earned sick days could save up to an estimated $1.1 billion annually if they were mandated to provide this benefit.\(^{25}\) A bill that would allow all employees to accrue one hour of sick leave for every 30 hours worked passed a Senate committee in 2015 but has not moved forward in the current legislative session.

**Make Child Care More Affordable**

At a time when most New Jersey families require at least two incomes to stay afloat,\(^ {26}\) many New Jersey families lack access to affordable, high quality child care.

The cost of raising children continues to increase in New Jersey, while wages remain stubbornly stagnant for most New Jersey workers.\(^ {27}\) In New Jersey, child care for an infant costs about as much as tuition for an in-state public college.\(^ {28}\) This puts working families in the position of having to sacrifice other needs to pay for adequate child care, choose cheaper, lower quality care, or (in households with two working adults) have one earner quit their job altogether to become a full-time caregiver – with short and long-term consequences for their family’s financial security. The cost of child care is a particularly significant barrier to women’s participation in the workforce because, for a variety of reasons, they carry disproportionate caregiving responsibilities compared to men.

Accessible, affordable child care is key to recruiting and keeping women in the workforce, enabling women to earn a steady paycheck and raising living standards for all families. Currently many New Jersey families can’t afford care. And in a cruelly ironic twist, careworkers – who are
disproportionately women – are among the lowest paid workers in the state.\textsuperscript{29} New Jersey needs a solution to combat both of these issues: a robust income-based subsidy program that meets the needs of low-income families, universal pre-kindergarten for all of New Jersey’s children and meaningful tax assistance to help families meet the high cost of child care.

For child care to be considered affordable, parents should spend no more than 10 percent of their annual income on this service, but that is not the reality for many low-income and middle-class parents. In some cases, families are spending up to half of their income on care.\textsuperscript{30}

Expanding child care assistance would help more low-income families and single parents access and afford care costs as they strive to get ahead. Today, only a small fraction – 11 percent – of New Jersey families with young children who qualify for help with child care costs are receiving any kind of care assistance, because the state hasn’t adequately funded the program.\textsuperscript{31} Increasing funding for this assistance would allow New Jersey to improve and expand child care subsidies and reach more families. At the same time, the state should no longer disqualify families with parents seeking employment from child care assistance – after all, it’s very hard to successfully find a job if you are the full-time caregiver.

Universal high-quality pre-kindergarten prepares children for school and has been found to boost test scores, high school graduation rates and employment opportunities. Children in these programs are more likely to go to college and be in good health, and are less likely to become involved with crime. It is one of the smartest investments a state can make because the savings are enormous. A universal pre-K program in New Jersey could drastically strengthen the state economy by providing billions of dollars in government savings and generating billions of dollars increased earnings for individuals.

In 2008, the New Jersey legislature recognized the value of expanding access to high-quality early education, passing the School Finance and Reform Act to bring preschool to more towns across the state. Still, the majority of New Jersey’s children lack access to early education. That’s because successive governors and legislatures have yet to deliver on the promise of the 2008 law. Currently, only 35 districts out of more than 600 have high-quality public preschool programming for all their 3- and 4-year-olds. Over 50,000 kids from poor and struggling families are still waiting for access to high-quality preschool.

New Jersey already has a high-quality public preschool program; it’s one of the best in the nation. But lawmakers must ensure more of New Jersey kids benefit from this quality education by fully implementing the 2008 law. This first step would bring state-funded high-quality preschool to nearly 140 districts with concentrations of kids from poor families.
But New Jersey’s leaders should not stop there. They ought to continue to take steps towards implementing truly universal preschool across the entire state, in every district.

Policymakers should also consider addressing the cost of child care through the tax code by offering a robust and refundable state Child and Dependent Care Tax Credit (CDCTC). This tax would be based on the federal credit, which allows parents and caregivers to deduct up to 35 percent of employment related care expenses from their federal taxes. Close to a quarter million New Jersey taxpayers receive the federal credit, which puts over $130 million back into the hands of families.32

A New Jersey CDCTC would help families cover the rising costs of child care while making the tax code less regressive. Half of the states and D.C. currently offer these credits. In 12, the credits are fully refundable – and to help the families that need it the most, New Jersey’s should be the same. It should also be based on a generous percentage of the federal credit.

**Improve Access to Reproductive Health Care**

Giving women the resources and tools they need to improve their economic conditions goes beyond workplace supports and affordable, high-quality child care. Access to comprehensive reproductive health services is another key component of economic empowerment for women and security for their families.

A woman’s ability to make her own reproductive health decisions affects her life’s trajectory and shapes her educational and career opportunities. But political attacks on women’s reproductive health care threaten the progress women have made in establishing the right to decide if, when and how to become parents.

New Jersey has maintained high marks as a state with laws that protect access to reproductive rights, including no major restrictions on abortion services like those found in other states.33,34 In fact, New Jersey is one of only 17 states that provides public funding for abortion services.35 Yet restrictions on access to other reproductive health services still exist in the Garden State, disproportionately affecting low-income and women of color who depend on public funding for these services. Lack of access to family planning services translates to unintended pregnancies which in 2010 cost the New Jersey state government alone over $189 million.36

In 2010, Gov. Christie eliminated all family planning funding in New Jersey, cutting off $7.5 million each year that used to support 58 clinics providing cancer screenings, treatments for sexually transmitted diseases and birth control. Planned Parenthood was forced to immediately close six of its clinics and reduce hours and services at the remaining clinics. The funding has
been has never been reinstated, resulting in a cumulative loss of $50 million. Planned Parenthood has since reported a staggering increase in the number cases of sexual transmitted infections, especially among Latina women, as well as an increase in the general need for publicly funded contraception services across the state.\textsuperscript{37}

Meanwhile, federal Title X funds for family planning clinics have been shrinking too, reducing the ability to meet the need for family planning services among New Jersey’s poorer residents. As threats unfold on the federal level, New Jersey policymakers must protect laws and programs like the Affordable Care Act, Medicaid and Title X programs, which enable many women to afford regular medical care. And they must denounce efforts to eliminate or deny funding for reproductive health services – the loss of which disproportionately harm low-income and women of color and their ability to achieve economic security.

Playing defense is essential, but New Jersey must also take a proactive stance on promoting access to reproductive health care by passing policy that help women to plan, prevent and space pregnancies. And it has the legislative history on which to make quick progress.

In 2011, Gov. Christie vetoed a bill that would have expanded Medicaid funding of family planning services for residents earning as much as twice the federal poverty level – widely considered to be a realistic measure of true poverty in this high-cost state. The bill would have required a $1 million state investment, which would have unlocked $15 million in federal matching funds. Twenty-three states provide family planning benefits to individuals based on income and most set the income ceiling at or near 200 percent of poverty.

Given the unknown future of the Affordable Care Act’s requirement that insurance companies cover birth control without co-pays, New Jersey must also act to ensure that women continue to have access to affordable contraception. One opportunity is to require insurance companies to provide 12 months' worth of certain contraceptives instead of 3-4 months - a measure that has been shown to cut down on unintended pregnancies and costly doctors' visits. Seven states have enacted such legislation, with an eighth set for its governor to sign the bill into law.\textsuperscript{38} New Jersey’s Assembly passed a bill last year, but it remains stalled in the Senate.

**Strengthen the Social Safety Net**

Women are more likely than men to be poor at all stages of life due to employment discrimination, overrepresentation in low-wage jobs and greater responsibility for unpaid caregiving.\textsuperscript{39} The picture is grimmer for single mothers, women of color and elderly women. Women also comprise the majority of the U.S. population receiving government assistance such
as food stamps, public housing, Medicaid or cash assistance – programs that cut poverty and help keep families out of deep poverty when the economy slows down.\(^40\)

**Improve Cash Assistance for Very Poor Women and Families**

Here in New Jersey, for example, the vast majority (93.5 percent) of those receiving cash assistance are women.\(^41\) TANF (Temporary Assistance for Needy Families, also known as Work First NJ) is the only cash assistance available to poor families with no income. However, state support for the program has stagnated over the past 30 years. As a result, the majority (80 percent) of children living in deep poverty don’t receive any assistance at all. The state’s commitment to these families is woefully inadequate and economically short-sighted. The newest research shows that poverty costs New Jersey $13 billion each year in reduced productivity, increased crime and poorer health outcomes.\(^42\)

Not only is the TANF benefit leaving behind the majority of families that have hit hard times, it actually punishes children. New Jersey state law denies basic assistance to children who, through no fault of their own, are born while their mothers are on TANF. This “family cap,” which has already denied assistance to over 20,000 children since its inception, is discriminatory and should be repealed.\(^43\)

Both a proposal to increase TANF’s assistance levels by 30 percent and a bill to repeal the “family cap” policy passed the Senate and Assembly with bipartisan support last year. However, both bills were vetoed by the governor.

Policymakers must continue their work to improve TANF, as well as actively counter efforts on the federal level to switch funding to block grants or otherwise cut social safety net programs.

**Expand Tax Credit for Low-Paid Workers without Kids**

New Jersey’s Earned Income Tax Credit (EITC) lifts the incomes of over half a million low-paid workers and improves the economic security of their families.

At 35 percent of the federal credit, the Garden State’s EITC is one of the strongest in the nation. But it – and the federal EITC – still do very little to boost low-income workers who aren’t raising children in the home.

Expanding the EITC would be particularly beneficial for women, who are disproportionately represented in low-paid jobs at all stages of their lives.\(^44\) It would help young women who are disadvantaged by a wage gap at the start of their working years and are burdened by student
debt; “empty-nesters” who are economically disadvantaged by caregiving of aging relatives or providing support to adult children living at home; and older women – who account for two-thirds of the older workers who would benefit from such an expansion.45

While the cleanest path forward to expand the EITC to these workers without children is at the federal level, if Congress fails to act, New Jersey should follow the lead of other states and consider implementing the EITC expansion at the state level.
Endnotes

1 This includes those of working age (ages 16 years and over) who are either employed or unemployed but looking for a job. The labor force participation rate is 56.9 percent. The rate jumps to 70.2 percent for women between the ages of 20 and 64 years. Bureau of Labor Statistics, States: Employment Status of the Civilian Noninstitutional Population by Sex, Race, Hispanic or Latino Ethnicity, and Detailed Age, 2016 Annual Averages, https://www.bls.gov/lau/ptable14full2016.htm
3 NJPP analysis of U.S. Census Bureau, American Community Survey 1-Year Estimates, 2015.
4 Ibid 3
5 Ibid 2
10 Ibid 9
12 Ibid 9
13 Ibid 9
14 U.S. Census, Poverty Thresholds for 2015 by Size of Family and Number of Related Children Under 18 Years.
17 U.S. Census Bureau, Employment Status, 2011-2015, American Community Survey 5-Year Estimates
20 NJPP Analysis of DOLWD FLI Data. This number includes all eligible claims for both “bonding” and “care” purposes. This number is not including data from 2009 because 2009 is only half the year.
21 NJPP Analysis of DOLWD FLI Data and statewide number of births and adoptions. This number was found by comparing the number of births and adoptions in the state of New Jersey with the number of eligible bonding claims (adoption numbers: http://www.acf.hhs.gov/sites/default/files/ch/children adopted2014.pdf) and birth numbers from CDC. To account for both parents’ ability to apply for FLI the birth number and adoption number were multiplied by two. The numbers were not weighted against the number of workers who are eligible for state FLI because, one: 85 percent of workers are covered under New Jersey FLI and second the number of workers covered who are having children or adopting children is unable to estimate. Data for 2009 and 2015 was not included because data from 2009 is for only half the year and birth and adoption rates have not been released for 2015.


The average “Household Stability Budget” – which reflects the cost for household necessities at a modest but sustainable level - for a family of four in New Jersey is $118,805 per year, while the average bare-bones “Household Survival Budget” for the same family is $64,176 per year, according to the United Way of Northern New Jersey’s “ALICE” report. More:


Ibid 6


New Jersey Policy Perspective analysis of New Jersey IRS Data 2014.


Guttmacher Institute, State Policies in Brief, State Funding of Abortions Under Medicaid, 2017, http://kff.org/medicaid/state-indicator/abortion-under-medicaid/?currentTimeframe=0&sortModel=%7B%22colId%22:%22%22Location%22%22%22sort%22%22%22asc%22%7D


Ibid 6


