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FEW Washington Legislative Update June 1-15, 2022

In congress:

On June 7, Senate agreed to pass S. Res. 662, expressing support for the designation of May 2022 as '[Mental Health Awareness Month](#)'. The Senate is also expected to confirm the nominations of [Lisa Gomez](#) to be an Assistant Secretary of Labor and [Nina Morrison](#) to be U.S. District Judge for the Eastern District of New York.

The House started voting on gun control legislation on June 8, beginning with [H.R. 7910](#) – Protecting Our Kids Act. Following debate on the House floor, the lower chamber is expected to vote on the [package](#) of eight gun control bills that [cleared](#) the House Judiciary Committee along party lines last week. House Republican leaders are [urging all their members](#) to vote against the measure, arguing it is a “reactionary package” composed of proposals that violate Americans’ Second Amendment rights and hinders their ability to protect themselves.

Despite some opposition, the legislation is still expected to pass the House, though it is unlikely to win approval by the 50-50 Senate, where 60 votes are needed for bills to overcome a filibuster and advance. In the upper chamber, a [bipartisan group of senators](#) have been working on a more tailored plan to curb gun violence, and negotiators are aiming to reach consensus on a measure by the end of the week. Senators Chris Murphy, (D-Connecticut), and John Cornyn, (R-Texas), have been tapped to help lead negotiations, huddling privately with their colleagues and exchanging proposals. Those discussions were expected to continue on Wednesday, June 8, as lawmakers aim to reach agreement by the end of the week.

While senators continue working to reach common ground on legislation to reform firearms laws, House Speaker Nancy Pelosi (D-California) said in a [Dear Colleague](#) letter on Tuesday June 7 that the “urgent” package to be taken up later includes provisions that will “*save lives and give hope.*”

On June 8 the [Women-Owned Small Business Program Transparency Act](#) (WOSB Program Transparency Act) passed in the house. The [bill](#) Agreed to by the Yeas and Nays: 402 – 19. This bill requires the [Small Business Administration](#) to report

information about the number and total dollar amount of contracts awarded under the Women-Owned Small Business Federal Contracting program.

Additionally, the [bill H.R.7664](#) was passed with a vote of 399 yeas to 18 nays. This [bill](#) includes within the responsibilities of Small Business Development Centers and Women's Business Centers the provision of assistance to small businesses in hiring graduates from career and technical education programs and to graduates of such programs in starting small businesses.

Diversity, Equity & Inclusion

On June 13, [bill H.R.2543](#) the Federal Reserve Racial and Economic Equity Act passed in the House with 215 – 207. This [bill](#) requires the Federal Reserve Board to carry out its duties in a manner that supports the elimination of racial and ethnic disparities in employment, income, wealth, and access to affordable credit. The board must report on disparities in labor force trends as well as on plans and activities of the board to minimize and eliminate these disparities.

On June 14, the Resolution [S.Res.540](#) was placed on Senate Legislative Calendar under General Orders. [The resolution](#) expresses support for International Women's Day and recognition that women's empowerment is inextricably linked to generating economic growth and self-reliance, sustainable peace and democracy, and inclusive security. The resolution also reaffirms the Senate's commitment to end discrimination and violence against women and to pursue policies that guarantee fundamental human rights for women worldwide.

The bill [S.958](#) which was introduced to the Senate on March 24, 2021, was amended. This [bill](#) expands and otherwise modifies the allowable uses of New Access Point grant funds. These grants help health centers establish new delivery sites to provide comprehensive primary care to medically underserved populations. Specifically, health centers may use funds to construct or renovate buildings or to set up mobile medical clinics. In addition, a mobile clinic may qualify for grant funding as a new delivery site regardless of whether it is associated with a permanent, full-time site.

On June 15, a [Committee](#) was held titled “The Burnout Epidemic and What Working Women Need for A Stronger Economy”. Testimony was heard from public witnesses.

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Family Leave:

Ways & Means Hearing (June 15, 2022)

[Neal Opening Statement at Hearing on the Burnout Epidemic and What Working Women Need for a Stronger Economy](#)

(As prepared for delivery)

“In just a few minutes, we will hear the powerful stories of women who are doing their best to exist in our economy. I’m going to be brief because I want to let them do the talking.

Women are asked to wear many hats each and every day. For years, they have been telling us that the idea that you can simply “balance” being an employee, a caregiver, a breadwinner, and a mom, is a myth. Wearing all those hats forces tradeoffs– less money, more stress, loss of advancement at work, things that don’t get done. Women are working hard, but our economy still doesn’t work for them.

The pandemic didn’t create this problem, but it made it worse. In the last two years, millions of women have been driven from the workforce for reasons out of their control. A million women have still not returned, despite millions of job openings. It’s easy to see why.

One in five U.S. workers, most of them women, are caregiving for a loved one while working. One in ten are in the so-called “sandwich generation,” and are caring for both a child and an adult. Over two-thirds of working women are experiencing burnout. The burnout gap between men and women has doubled in the last year alone.

The five women on our panel today are experts on their own lives and the challenges they face. Each story is unique, but you will hear themes that mirror the challenges facing millions of American women.

Dreams have been sacrificed, goals put on hold, and I know plenty of sleep has been lost. This isn’t just an issue of trying harder, and it affects all of us. We cannot expect our economy to perform to its fullest potential when a large swath of the workforce can’t even get through the door. Women’s workforce participation rates and earnings trail those of men, which the National Partnership for Women and Families estimates costs our economy \$650 billion a year.

Labor force participation among women in the United States is consistently behind our peer countries that provide basic supports for caregiving. American women and families pay for this in lost income and additional hardship, and our economy pays for it when talented workers are forced to sit out.

In many cases, this burnout epidemic is uniquely American. The United States is one of only two OECD countries that does not provide paid leave to new parents. It is one of only a handful that does not provide paid leave to workers dealing with their own serious medical conditions or those of loved ones.

Ask any parent about finding childcare, and you'll hear how scarce it is. When they do find it, it can be prohibitively expensive.

Last year, we held a very similar hearing, where we heard loud and clear about the policy solutions that would better support women and unlock their full potential. Since then, this Committee led with guaranteed childcare and universal paid family and medical leave legislation. Unfortunately, our Republican colleagues didn't join us in recognizing the urgency of creating these basic workplace supports. We won't give up, though. Too much is at stake.

With that, I will recognize the Ranking Member, Mr. Brady, for an opening statement.”

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EEOC Mediation:

The U.S. Equal Employment Opportunity Commission (EEOC) today announced that two new independent [studies](#) report overwhelming satisfaction with the EEOC's mediation program as well as a successful transition from in-person to online mediation as a result of the COVID-19 pandemic.

Specifically, participants view the EEOC's voluntary mediation program to be highly effective, fair and neutral, and expressed strong satisfaction with the process. The studies also found “near unanimity” in participants' willingness to participate in the mediation program in the future.

“The new reports confirm the tremendous success of the EEOC's mediation program,” said EEOC Chair Charlotte A. Burrows. “While our pivot to online mediation was necessitated by the pandemic, online mediation, like our in-person mediation program, has proven to be very popular and effective. The EEOC's mediation program has received consistently high marks from participants since its inception over 20 years ago and the agency's effective adoption of virtual mediation during the pandemic is yet another success of the program. The EEOC will continue to offer virtual mediation as an option for those able to participate virtually even after we resume in-person service to the public.”

According to the [first study](#), more than nine out of 10 participants (98 percent of employers and 92 percent of charging parties) indicated that they would be willing to participate in the EEOC's mediation program again if they were a party to an EEOC charge. A majority of participants (nearly 70 percent) reported that they would prefer online mediation to in-person mediation in the future. Participants cited flexibility, convenience, cost savings, and a “safe space” as reasons for preferring online mediation.

The [second study](#), reported that EEOC mediators found that online mediation is easier to use and more flexible than in-person mediation; achieved similar or better quality and value of settlements for both parties; and increased access to justice for charging parties.

The independent studies, using data gathered from 1,234 online participant surveys and 139 mediator surveys, were prepared by E. Patrick McDermott, professor of legal studies and management and department chair at the Franklin P. Perdue School of Business at Salisbury University and his colleague Ruth I. Obar. Of the participant surveys, 782 were from employers and employer representatives and 452 were from charging parties and charging party representatives. The researchers compared the results with a [2000 external evaluation](#) of EEOC's mediation program as well as EEOC-administered survey responses from June 2018 and July 2019.

“In 2000, we reported that the EEOC had ‘hit a home run’ in its in-person mediation program. Twenty years later, without a playbook on the transition from in-person mediation to online dispute resolution (ODR), there is a similar result with even greater import,” said McDermott. “This ODR program data suggests to the dispute resolution community and to the U.S. legal system that new and flexible online mediation procedures are seen by all the parties and representatives as efficient, flexible, cost-saving, attractive, and preferable to traditional in-person mediation.”

The participant study also found that online mediation significantly increases access to justice for charging parties. About 1 in 5 charging parties do not want to be in the same physical location as their employer and the virtual format provides “a safe space” for those participants. It also provides employers with more flexibility, which makes them more likely to participate in mediation. Nearly two thirds (62 percent) of employers reported that the availability of online mediation made it more attractive for them to participate in the EEOC's mediation program.

About the EEOC's mediation program

The EEOC launched its voluntary mediation program in February 1999, and it became fully operational at every agency district office nationwide in April of that year. Since its implementation through fiscal year 2021, the agency has held nearly 249,000 mediations, resolved almost 180,000 private sector charges, and obtained monetary benefits of more than \$3.15 billion for charging parties through this process. In fiscal year 2021 alone, the agency conducted 6,644 successful mediations resulting in \$176.6

million in benefits to charging parties—an increase in both the number of successful mediations and the monetary benefits recovered from the prior fiscal year.

Mediation is a form of [alternative dispute resolution offered by the EEOC](#) early in the process to facilitate resolution without lengthy investigations or litigation. Mediation is voluntary and confidential. Unlike an arbitrator or judge, the mediator does not resolve the charge or impose a decision on the parties. Instead, the mediator serves as a neutral third-party facilitator, helping the parties to arrive at a mutually acceptable resolution.

Sourced from ([EEOC](#))

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Title IX Women’s Rights Law:

According to a new poll by The Associated Press-NORC Center for Public Affairs Research and the National Women’s History Museum, most U.S. adults believe the country has made at least some progress toward equality for women since 1972. That's the year Congress passed Title IX, a one-sentence law that forbids discrimination based on sex in education. But there are sharp differences in opinion over just how much headway has been made and in what facets of life.

Some of the widest divisions are, perhaps unsurprisingly, between men and women: 61 percent of men say the country has made a great deal or a lot of progress toward gender equality, while 37 percent of women said the same, according to the poll.

Women were more likely to point to only some progress — 50 percent held that view — while 13 percent said the country has made just a little or no progress.

“We’ve fought a lot, we’ve gained a little bit, but we haven’t really gained equality,” said Brenda Theiss, 68, a retired optician in Vinemont, Alabama. Progress that started in the ’70s seems to have stalled, she said, with continued wage gaps and battles over women's reproductive rights.

Passed in the wake of other seminal civil rights laws, Title IX was intended to expand protections for women into the sphere of education. Today it's often known for its impact on women's sports and the fight against sexual harassment and assault.

As the nation approaches the law's 50th anniversary, most Americans have positive views about it. Sixty-three percent said they approve of the law, including majorities of men and women. Only 5 percent did not approve of it, while the rest said they were neutral or not sure.

But Americans are split along several faults when it comes to assessing advancements.

Along with men, Republicans are also more likely to see a great deal or a lot of progress, with 65 percent holding that view. Among Democrats, 39 percent said the same.

Among women, those 50 and older are more likely than their younger peers to see a great deal or a lot of progress in specific facets of life, such as in leadership, employment and education opportunities.

Milan Ramsey, 29, said it's "remarkable how far we have come considering how unequal it still feels."

She says sexism is hard to avoid in today's society, whether it's in unequal access to health care or in everyday slights like getting catcalled. But she knows it has been worse. Once, looking at her mom's childhood photos, her mom pointed out a pair of pants that she said was her first pair ever.

"She remembers that because they weren't allowed to wear pants until she was like 7 in public school," said Ramsey, of Santa Monica, California.

As a young girl growing up in the '70s, Karen Dunlap says she benefited from Title IX right away. Soccer leagues for girls started springing up for the first time, she said. Her mom rushed to sign her up.

"I really felt the immediate difference as a kid," said Dunlap, of Vancouver, Washington. "But at the same time, it didn't stay that way."

Dunlap went on to compete in swimming and water polo at Pomona College in California, and she credits Title IX for the opportunity. It also ensured the school gave enough money for racing swimsuits and a team van, she said. But in the classroom, some male professors referred to her as a "coed," and some seemed to look down on female students, she said.

Later, when her daughters went to college, Dunlap was disappointed to see them fighting familiar battles. When one of her daughters applied for a job at a campus dorm, she was told she was too much of a "typical cheery girl" for the position. She ended up leaving the school and graduating elsewhere.

"The push for equality has been around long enough that it should have worked," Dunlap said. "There should be some difference."

According to the poll, Americans think the impact of Title IX has been stronger in some areas than others. More than half said it has had a positive impact on female students'

opportunities in sports, and about as many said that about opportunities in education overall.

But just 36 percent said it had a positive impact on addressing sexual harassment in schools, and 31 percent said it had a positive impact on protecting LGBTQ students from discrimination.

At the same time, there's evidence that not all Americans clearly understand the law. About a third said they were unsure whether Title IX has had an impact on them personally, and about a quarter or more were unsure of its impact in other areas.

The law is commonly misunderstood in part because its application is so broad, said Shiwali Patel, senior counsel at the National Women's Law Center. In addition to its role in sports, it also has been used to protect against discrimination and harassment in college admissions, financial aid, campus housing and employment, among other areas.

"I don't think people really understand the full breadth and scope of Title IX," she said. "It's only 37 words long, but it's extremely broad. It covers so much."

Patel said it's important to acknowledge Title IX has brought meaningful advancements. More women are getting scholarships, participating in college sports and landing faculty jobs. But there has also been resistance to continued improvement, especially in the fight against sexual harassment and violence, she said.

"We are at a moment of real challenge, and we still haven't gone far enough," Patel said.

The law's anniversary approaches as the Biden administration prepares new rules detailing how schools and colleges must respond to sexual harassment. The regulation, which would serve as an extension of the 1972 law, is expected to roll back a set of Trump-era rules and expand the rights of victims of sexual harassment and assault.

Among other findings, the poll also revealed Americans don't think all women have felt progress equally. About half of respondents said white women have seen a great deal of progress, but only about a third said the same for women of color or LGBTQ women. Only about a quarter said there's been great progress for low-income women.

Still, to 67-year-old David Picatti, it feels like the push for gender equality has largely succeeded. When he was an engineering student in college, he remembers his program "clamoring" to recruit women, who are underrepresented in many science fields. More recently, he has had female cousins receive full scholarships to play college sports.

"I think there have been a lot of strides and it's a fairly equal playing field," said Picatti, of Yakima, Washington.

Sarah Brown says it's far from equal. The 70-year-old in New Orleans acknowledged some progress — her daughter earned a master's in business from Harvard University in the 1980s as the program was recruiting more women — but she still sees discrimination.

A retired accountant, Brown has been discouraged by recent battles over abortion rights, and she has been appalled by sexual assault scandals at Louisiana State University and other colleges across the country. It seems like progress made in the past is being eroded, she said.

Still, Brown isn't surprised that men see it differently.

"Of course not," she said. "Women know how it really is to be a woman and men don't. Men think that women have it better than they truly do."

Sourced from ([USNEWS](#))

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