

# **Massachusetts Commission on the Status of Women**



## **Fiscal Year 2010 Annual Report**

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## **Commissioners**

Helen Corbett, Chair, Middleton  
Linda Cavaoli, Vice Chair, Worcester  
Stephanie Everett, Secretary, Mattapan  
Marisa DeFranco, Treasurer, Middleton

Hanishi Thanawalla Ali, Westborough  
Carmen Arce Bowen, East Boston  
Victoria Budson, Wellesley  
Chris Chanyasulkit, Brookline  
Deborah DiMasi, Boston  
Donna Finneran, Mattapan  
Marianne Fleckner, Westford  
Elizabeth Hart, Malden  
Lucy Hartry, Florence  
Elizabeth Houlihan, Falmouth  
Pamela Malumphy, Pittsfield  
Joanne Fitzgerald McCrea, Salem  
Angela Menino, Hyde Park  
Ruth Nemzoff, Brookline

## **Staff**

Jill Ashton, Director

## **Interns**

Fall 2009:

Christine Bazzinotti, Mount Holyoke  
Ellen Fahey, UMass Boston  
Karole Fristensky, Northeastern  
Diana Grandoni, Simmons

Spring 2010:

Emily Chan, Boston College  
Joyce Holt, UMass Boston  
Leanne O'Brien, Northeastern  
Amanda Regan, UMass Boston  
Christian Suciu, Northeastern

# INTRODUCTION

## **Mission**

The mission of the Massachusetts Commission on the Status of Women is to provide a permanent, effective voice for women across Massachusetts. The Commission stands for fundamental freedoms, basic human rights and the full enjoyment of life for all women throughout their lives.

## **Charges**

Under MA Chapter 3, Section 66 of the Massachusetts General Laws the MCSW is empowered to:

- Study, review and report on the status of women in the Commonwealth;
- Advise executive and legislative bodies on the effect of proposed legislation on women;
- Inform leaders of business, education, health care, state and local governments and the communications media of issues pertaining to women;
- Provide referrals and serve as a resource of information on issues pertaining to women;
- Identify and recommend qualified women for positions at all levels of government;
- Promote and facilitate collaboration among local women's commissions and among women's organizations in the state;
- Serve as a liaison between government and private interest groups concerned with issues affecting women.

## **Organization**

The MCSW is an independent state agency legislatively created in 1998 to provide a permanent, effective voice for women across Massachusetts. The Commission strives to advance women of the Commonwealth to full equality in all areas of life and to promote their rights and opportunities.

The Commission is comprised of 19 members who are appointed by the Governor, Senate President, Speaker of the House of Representatives and the Caucus of Women Legislators. Commissioners serve in a voluntary capacity and the work of the Commission is facilitated by a Director, assisted by year-round interns.

The full Commission meets monthly, except in July and August, as does the MCSW Executive Committee. In addition, each commissioner is a member of at least one Standing Committee which also meets monthly.

This 2009-2010 Annual Report includes the Commission's activities and findings for the period of July 2009 to June 2010.

## 2010 RECOMMENDATIONS TO APPOINTING AUTHORITIES

In accordance with the responsibilities of the MCSW under MA Chapter 3, Section 66 of the Massachusetts General Laws, the MCSW submits the following recommendations for action to our appointing authorities:

- **Pass An Act Further Defining Comparable Work (S689/H1880).**

Passage of this bill would help to eliminate the wage gap by ensuring that work requiring similar skill, effort, responsibility and performed under similar working conditions be compensated equally. In 2009, women made on average \$0.76 for every \$1 earned by men (down from \$0.77 in 2008), when controlling for factors such as education level and work experience. This figure has remained basically stagnant since 1993, indicating that the wage gap is not closing itself.

This bill is also a critical component of economic recovery. The majority of jobs lost during the recession were lost by men, leaving more households dependent upon women's income. Massachusetts families cannot afford to wait any longer for steps to be taken toward closing the wage gap once and for all.

A Legislative Timeline for this bill and testimony submitted by MCSW to the Joint Committee on Labor and Workforce Development is included in the Appendix to this report.

- **Pass An Act Establishing the Essex County Commission on the Status of Women (H3410).**

This bill would create the Essex County Commission on the Status of Women on the same model as MCSW and the three existing County and Regional Commissions. The creation of the Essex County Commission is consistent with the Commission's goal of increasing women's political participation in the Commonwealth. It is also important to note that there is no funding attached to this bill.

- **Complete the Essential Functions Study undertaken by the Human Resources Division and implement the resulting recommendations.**

The Massachusetts Commission on the Status of Women has endorsed An Act Providing for a study of the Commonwealth's job classification system by the Human Resources Division (S1408/H2665). We commend the administration for undertaking the study. It enables the Commonwealth to serve as a model for private business in achieving equitable pay in the workplace.

- **The Commission recommends that one seat on the Governor's Council to Address Sexual Assault and Domestic Violence be reserved for an MCSW Commissioner.**

Based on information collected by MCSW through constituent contact and public hearings, sexual assault and domestic violence remain some of the most pervasive

concerns facing women in the Commonwealth. The Governor's Council to Address Sexual Assault and Domestic Violence, chaired by the Lieutenant Governor, provides an appropriate venue for the Commission to share information relating to sexual assault and domestic violence gathered from constituent contact and public hearings.

## **MCSW COMMITTEE STRUCTURE**

The Commission operates through working committees that address various areas and report back to the full Commission for consideration and action. Each Commissioner is required to participate in at least one committee and attend monthly full commission meetings. Each committee meets once a month.

There are four working committees and one subcommittee within the Commission:

1. Executive Committee – comprised of all officers and committee chairs and chaired by the Chair of the Commission.
2. Legislative and Public Policy Committee
3. Program and Planning Committee (including Unsung Heroine Event Subcommittee)
4. Personnel and Budget Committee

### **MCSW Standing Committees FY 2010**

The work and structure of each Committee and Subcommittee of the Commission is detailed below.

#### ***Executive Committee***

Consists of: Chair; Vice Chair; Treasurer; Secretary; Co-Chairs, Legislative and Public Policy; Chair, Program and Planning; Co-Chairs, Personnel and Budget; Immediate Past Chair

#### ***Work and Responsibilities:***

- Address operational/organizational issues
- Ensure Commission adheres to bylaws and open meeting laws
- Communicate with Appointing Authorities
- Maintain fiscal oversight of Commission's operating and trust fund budgets
- Ensure and advocate for the agency having adequate resources
- Evaluate Director job performance, staff hiring approvals
- Initiate officer nomination process
- Monitor Committee functioning

#### ***Legislative and Public Policy Committee***

#### ***Work and Responsibilities:***

- Recommend legislation to the full Commission for endorsement
- Help the full Commission advise executive, legislative, and other bodies of the effect on women of proposed legislation
- Help the full Commission impact public policy through advocacy, including verbal and written testimony, and other means of support for bills the Commission has endorsed

- Help the full Commission advise appointing authorities on legislative issues through verbal and written testimony and other means of support for bills the Commission has endorsed
- Help the full Commission advocate for research regarding the status of women in the Commonwealth and for utilizing research to achieve positive outcomes for women

### ***Program and Planning Committee***

#### *Work and Responsibilities:*

- Plan public hearings
- Maintain contact with County and Regional Women's Commissions
- Evaluate requests for partnering with other groups and organizations to advance women's issues
- Oversee Speakers Bureau and media outreach
  - *Unsung Heroine Event Subcommittee*

#### *Work & Responsibilities:*

Plan the Commission's annual signature event and program  
 Oversee the nomination process and Honoree selections  
 Solicit event sponsors and in-kind contributions  
 Work with assigned staff and interns to implement logistics

### ***Personnel and Budget Committee***

#### *Work and Responsibilities:*

- Hiring:
  - Write and update job description of the Director
  - Recruit, Interview, Recommend Hire for Director Position
  - Approve job descriptions of all support staff
  - Review finalists for staff positions and make final hiring recommendations to full commission
- Evaluation:
  - MCSW Chair is the Supervisor of the Director
  - MCSW Chair evaluates the Director year round utilizing ACES
  - All Commissioners receive a copy of both the Director's agreed upon goals for the year and the Director's full annual evaluation at the end of the year
- Personnel/Office Policy
- Oversee use of budget and make recommendations for approval of Executive Committee and Full Commission



## MCSW BUDGET

<b>Commission on the Status of Women BUDGET FY 10</b>		
	<b>FY09 GAA</b>	<b>FY10 GAA</b>
<b>Total Income from State Appropriation</b>	<b>\$252,000</b>	<b>\$70,000</b>
<b>Expenses</b>		
Salaries	\$186,584	\$46,500
Operating Expenses	\$66,416	\$23,500
<b>Total Expenses</b>	<b>\$252,000</b>	<b>\$70,000</b>

The 73% reduction in budget from FY09 to FY10 required the Commission to reduce staff from 3.5 FTEs to 0.6 FTE. However, with increased involvement of unpaid Commissioners, unpaid interns, and unpaid volunteers, and by reducing office operations from 5 to 3 days per week, the Commission has been able to adequately maintain its programs and activities. The MCSW commissioners also solicited private and corporate funds for the MCSW Trust Fund which helps fund research projects and commission activities.

## **PROGRAM AND PLANNING**

### **Public Hearings**

In keeping with its mandate to study and report on the status of women and girls living in the Commonwealth, the Commission holds regional public hearings to hear the concerns of women and community members. Area legislators and public officials are invited to attend. The Commission uses hearing testimony to shape and influence its legislative advocacy work and its annual recommendations to the appointing authorities.

The Commission held two public hearings during FY10:

#### **Plymouth County region, Plymouth South High School, Plymouth, January 12, 2010**

Issues raised at this hearing included:

- An increase in substance abuse in women during difficult economic times and the need to fund programs which provide services to women struggling with substance abuse and mental health problems;
- The need for Parental Leave legislation which would cover both men and women as a component of achieving pay equity.

#### **Middlesex County region, Pollard Memorial Library, Lowell, March 31, 2010**

Issues raised at this hearing included:

- The increased incidence of sexual assault, domestic violence, and domestic violence related homicide, and the shortage of safe shelter space and transitional housing within the Commonwealth for victims of domestic violence.
- The need for cultural sensitivity training for service providers of domestic violence victims in immigrant communities;
- The unmet need for affordable housing for young mothers;
- Disparities in access to healthcare for women of color and immigrant women;

Written testimony submitted at the Lowell public hearing is included in the Appendix to this report. No written testimony was submitted at the Plymouth public hearing.

## **County and Regional Women's Commissions**

- Berkshire County Commission on the Status of Women, 9 members from Berkshire County
- Bristol County Commission on the Status of Women, 9 members from Bristol County
- Cape Cod and Islands Commission on the Status of Women, 13 total members from Barnstable, Dukes, and Nantucket Counties

Modeled after MCSW, the three County and Regional Women's Commissions have been legislatively created to study and report on the status of women and girls in their respective areas, and to provide permanent and effective voices for them. Each County or Regional Commission reports their findings annually to MCSW.

Once the legislation has passed to establish a County or Regional Commission, MCSW solicits and reviews Commissioner applications, makes appointments, and hosts a formal inaugural event to have the new Commissioners sworn in, and conducts an opening session.

After the initial appointments have been made and opening session conducted, MCSW continues to serve as a resource for the Commissions, and continues to oversee the appointments and reappointments of Commissioners.

During FY10, the Commission endorsed proposed legislation to establish an Essex County Commission on the Status of Women (see Legislation and Public Policy section), which would function in the same way as the three existing County and Regional Women's Commissions. This legislation is currently pending.

## **Local Women's Commissions**

There are currently ten local Women's Commissions which represent various cities and towns in the Commonwealth. While these Commissions are independent of MCSW, the Commission serves as a resource for local commissions and maintains contact with them.

Local commissions include: Boston Women's Commission; Brockton Mayor's Commission on Women's Issues; Brookline Commission on Women; Cambridge Commission on the Status of Women; Newton Commission on the Status of Women; Quincy Mayor's Commission on Women; Somerville Commission for Women; Springfield Commission for Women; and Worcester City Manager's Advisory Committee on the Status of Women.

## RESOURCES & REFERRALS

### **MCSW Website**

The Commission's Web site ([www.mass.gov/women](http://www.mass.gov/women)) is a user-friendly tool for learning about the Commission and its work. Users can also download MCSW publications and access MassWIN to find other important resources.

### **MassWIN (Women's Information Network)**

The MCSW hosts MassWIN ([www.mcswnetwork.com](http://www.mcswnetwork.com)), a comprehensive online searchable database featuring profiles of over 2,000 service providers throughout the Commonwealth. MassWIN allows users to search for what they need by geographic region and/or service area, or type of service.

One of the charges of the MCSW is to serve as a clearinghouse for information on issues pertaining to women and MassWIN is one way of providing this service. MassWIN is continuously augmented and improved. MCSW is always seeking new local, community, regional, statewide and in some cases national resources and providers to add to the database. This includes, but is not limited to, direct service providers addressing such issues as domestic violence, cancer prevention, business networking, GLBT concerns, and healthcare.

### **Constituent Contact**

The Commission office is open three days a week to assist constituents with questions or concerns. The Commission staff provides either information and/or referrals. Needs and issues frequently raised include: domestic violence, legal assistance, health insurance, child care and support, employment rights, maternity leave policies, unemployment, financial assistance, child custody and divorce, equal pay, and research questions.

## **LEGISLATION AND PUBLIC POLICY**

The Commission provides information, impact statements, and assistance to elected officials and the public regarding legislation affecting women and families in Massachusetts. The Legislative and Public Policy Committee evaluates proposed legislation and recommends endorsement to the full Commission. Once endorsed, the Commission provides written or spoken testimony, identifies and gathers community support and is available to support legislation in response to legislators' requests..

During FY10, the Commission's efforts surrounding Legislation and Public Policy were focused on the economic security of women in the Commonwealth, specifically Comparable Work and Pay Equity legislation. The Commission also continued its support for legislation endorsed in FY09.

### **MCSW Endorsed Legislation – 186<sup>th</sup> General Court**

- **An Act further Defining Comparable Work (S689/H1880)**
- **An Act Providing for a Study of the Commonwealth's Job Classification System by the Human Resources Division (S1408/H2665)**
- **An Act Establishing Paid Sick Days (S688/H1815)**
- **An Act Supporting Strong Families by Providing Paid Family and Medical Leave, Increasing Tax Deductions, and Establishing a Work-Family Council (S71)**
- **An Act Relative to Gender Based Discrimination and Hate Crimes (H1728)**
- **An Act to Protect and Enhance the Rights of Child and Adult Victims and Witnesses of Crime (S1559)**
- **An Act to Establish Community Based Grant Programs to Eliminate Racial and Ethnic Disparities in the Commonwealth (S811)**
- **An Act to Eliminate Racial and Ethnic Health Disparities in the Commonwealth (S810)**
- **An Act Relative to Bullying in the Workplace (H1861)**
- **An Act Relating to Anti-Human Trafficking and Protection (S58)**
- **An Act Relative to Harassment Prevention Orders (S2212)**
- **An Act Relative to Providing Health Education in Schools (H3434)**
- **An Act to Establish a Self-Sufficiency Standard in the Commonwealth (S730/H1792)**

- **An Act Establishing the Essex County Commission on the Status of Women (H3410)**

## INITIATIVES

### **Research Collaboration**

#### **“Women in the Down Economy” report**

Co-sponsored by the Commission, the Center for Women in Politics and Public Policy at UMass Boston’s McCormack School of Policy Studies, and the Center for Social Policy, “*Women In the Down Economy: Impacts of the Recession and the Stimulus in Massachusetts*” was published in March 2010.

This policy brief provides insight into the ways in which women have been uniquely affected by the recession, and how they are faring as a result of the American Reinvestment and Recovery Act. The report examines such factors as sex-segregated labor markets, the exacerbation of racial disparities during the recession, and female-headed versus male-headed households.

The Commission distributed copies of the brief to all members of the Massachusetts Legislature.

### **MCSW Annual Community Outreach Program**

#### **Seventh Annual “Unsung Heroines of Massachusetts” Program**

On May 19, 2010 the MCSW hosted its 7<sup>th</sup> Annual Unsung Heroine Celebration at the State House. This event honored 100 Unsung Heroines from cities and towns across the Commonwealth. The Unsung Heroines are women who without fanfare or recognition, make the Commonwealth a better place to work and live. The Unsung Heroines “don’t make the news, but make a difference”.

Each year, the Commission seeks nominations from the public to identify women who perform unheralded acts of generosity. The nomination process identifies women of all ages, all economic, political, geographic and ethnic backgrounds. After reviewing all of the nominations, a selection committee designates the 100 outstanding citizens to be honored. All 100 Unsung Heroine honorees are honored at a State House ceremony where they receive appreciation from a grateful Commonwealth.

This event is funded through generous corporate sponsorship and individual donations and the MCSW Trust Fund.

### **MCSW Internship Program**

Preparing the next generation of leaders remains a key priority for the Commission and as an extension of this commitment, extends for credit internship opportunities to students from universities and colleges across the Commonwealth. Internships, both for credit and non-credit, are extended during fall semester, spring semester and again through the summer. During the 2009 – 2010 academic year, the Commission hosted 9 interns.

MCSW interns assist the Director in executing a variety of projects which help to carry out MCSW's mission, such as:

- Communication production – website, newsletter, MCSW resource brochures, handbooks, and other literature
- Event management - public hearings, regional council meetings, *Unsung Heroines of Massachusetts* event
- Research and prepare legislation summaries
- Contribute to research projects

### **Commissioner Emerita Program**

To strengthen the bond and connections between the MCSW and former Commissioners, the MCSW maintains a Commissioner Emerita program.

The Commissioner Emerita program strives to better inform and engage former Commissioners and encourage them to remain involved when able in the ongoing work of the Commission.

### **Collaborations and Coalition Membership**

In line with the Commission's mission to promote and facilitate collaboration among local women's commissions and women's organizations, the Commission frequently partners with other organizations to support efforts of joint concern.

The MCSW maintains active membership in the following coalitions:

- ***Disparities Action Network***: works to reduce health disparities in the Commonwealth through legislative advocacy and education
- ***Massachusetts Paid Sick Leave Coalition***: advocates for passage of this legislation. MCSW participation has included legislative testimony, advocacy campaigns, information sharing through newsletter and web site
- ***New England Women's Commissions***: bi-annual meetings to share strategies for success, convened by the US Dept of Labor Women's Bureau, Region 1.
- ***Boston Area International Women's Day Breakfast Co-Host***: MCSW co-sponsors this annual informational gathering, which was held this year at Simmons College on March 5<sup>th</sup>. This year's event featured speakers on Women's Role in the Green Economy.



# APPENDIX

**MCSW PUBLIC HEARING WRITTEN TESTIMONY SUBMITTED**

**LOWELL PUBLIC HEARING, 3/31/10**



Support and Friendship for South Asian Women and Families

P O Box 1345, Burlington MA 01803

www.saheliboston.org

sahelihelp@gmail.com

1-866-472-4354

*Our vision is to build a band of trust and friendship amongst us to ensure a life of dignity for all.*

Testimony submitted to the Massachusetts Commission on Status of Women on March 31, 2010 on behalf of Saheli, by Meena Sonea Hewett, Executive Director.

Thank you for giving us an opportunity to provide a testimony to the Commission on a critical issue concerning effective services to immigrant victims of domestic abuse.

Immigrants bring diversity to the US through their traditional social and cultural practices. The majority of the immigrants come from the continents of Latin America, Europe, Africa and Asia. While there are many positive aspects of the diversity brought by immigration, there are also less desirable practices. For instance, violence against women that may be influenced by the immigrants' socially constructed norms and practices, patriarchy, marriage, and the myth of the model minority may keep immigrants from speaking out about issues that may bring shame to them. Violence can also be compounded by the current legal context that limits the immigrant's ability to stay and work in the US, creating stressors that may manifest into anger and abusive behavior towards a submissive partner.

**Currently, there is a gap in services to immigrant victims due to lack of cultural awareness and language barriers between immigrants and service agencies.** Service agencies include law enforcement officers, legal services, the civil and criminal courts, the district attorney's office, domestic violence agencies, health care professionals, and community and faith based agencies working with families and children.

A recent qualitative research done by the Wellesley Centers for Women on the experiences of battered immigrant and minority women in family courts is an example of such systemic deficiency. Fifteen advocates from eight domestic violence service provider agencies in the Greater Boston area offered researchers in-depth information about the race, class and gender biases that their clients faced during divorce and custody proceedings. This testimony revealed that lack of cultural competence in the family courts interfered with informed decision-making that fully honors the due process rights of these women and compromises their personal and economic security. Misperceptions of gender roles, cultural behavior standards, traditional parenting practices, standards of physical appearance, and economic class can lead to devastating consequences for minority and immigrant domestic violence survivors and their families. Increasing numbers of such battered immigrant and minority women who appear in family courts each year on domestic violence or divorce-related claims do not have formal representation in court and rely heavily on the services provided by court advocates. Thus they are profoundly affected by the lack of cultural sensitivity present in government institutions.

**We recommend cultural awareness trainings for service providers who work with battered immigrant women, and see them transition from a victim to a survivor.**

A cultural awareness training program will train service providers to understand immigrant's behavior and the vulnerability of immigrant women as they face isolation, marital violence, and uncertainty when immigrating to the US. The training will also provide skills in verbal and non-verbal communications with immigrants and access to culture-based resources available in the community.

To accomplish such trainings, we need:

- 1) Partnerships between government bodies and civil society, as governments provide funds for violence prevention and intervention to non-governmental organizations. This indicates support and a commitment by all agents to eliminate violence against women.
- 2) To raise awareness among the public and law makers on the magnitude of abuse among immigrants in the US. Social service agencies need to inform town legislators of the community needs and reduce gaps in victim services.
- 3) Legislators and social service providers to work together to influence policy and provisions for funding programs that assist refugee and immigrant populations.

A comprehensive response to a victim of abuse includes *emergency* services such as a restraining order that mandates the abuser stay away from the victim or risk arrest. It also includes *non emergency* services provided by the domestic violence agencies and includes safety planning with the victim, being present as an active listener to her story, and providing resources that will assist her in staying safe and regain her self-respect. In a situation that involves an immigrant victim of abuse, a crucial component for any service provider is to respond with the appropriate cultural competence.

We recommend cultural awareness training in South Asian cultures and other growing immigrant population in the US and include Asia, Latin America and the Caribbean, and Africa.

Please do not hesitate to contact me if you have further questions. We greatly appreciate the active participation of the Commission in the elimination of violence against women. We are certain that improving women's status will outweigh the less desirable effects of gender inequality and abuse.

Good evening. Thank you MCSW and Pollard Memorial Library for hosting tonight's public hearing and the opportunity to speak before the council.

My name is Kathy McCabe. I am a resident of Lowell and the director of the YWCA of Greater Lawrence Teen Living Program, "where our mission is eliminating racism and empowering women"! Our program serves eight pregnant and/or parenting teens and their children in a residential setting. The Teen Living Program offers our teen moms the opportunity to completed their high school education or GED program, while learning the life skills needed to improve their life and break a generational cycle of poverty. Additionally, our young moms attend weekly parenting groups, individual therapy, attend domestic violence and anger management group. Our teens face many obstacles on their journey to self-sufficiency; lack of higher education, domestic violence, years in foster care, limited if any family support system, single parenting, little or no child support, history of physical, emotional and sexual abuse and an array of other societal ills. One of the most difficult challenges, that I would like to address tonight, is their struggle in securing safe and affordable housing.

In 2006 thru 2008 approximately 37% of our moms were able to secure permanent and affordable housing, mostly through public housing and Section 8's. In 2009, a mere 4% were able to secure housing.

Public housing and Sections 8's have been hit hard in the recent recession and are often unattainable for those most in need, single women. For example, the average wait for public housing in Mansfield and

Watertown is 10 years, Wrentham, Weymouth and Waltham is 5 years, Framingham, Littleton, Chelmsford, 2-3 years. Over 75 towns in the Commonwealth have closed their wait list indefinitely.

For a teen mother with two children to achieve complete economic independence, she will need to make \$61,000 a year.

Regardless of what city in Massachusetts she lives, even working at minimum wage, and with help through food stamps and day care vouchers, a teen mom with one child will earn \$16,800 per year and cannot cover her basic living expenses. To be economically self-sufficient, a single mother with one child requires an income of 27,000 .....60% higher than minimum wage.

The picture I paint is grim. The mothers in our Teen Living Program work hard and dream dreams, just like all of us here in this room. They want to break the cycle of poverty, the cycle of living off welfare; they want more for their children than what they had. And isn't that what we all want? I ask the commission to look at this issue and encourage the state and our policy makers to make a concerted effort to find a housing solution.

The Massachusetts Commission on the Status of Women  
Public Hearing  
Lowell, MA  
March 31, 2010

*Presentation by:  
Vilma Lora, Director of Women Services  
YWCA of Greater Lawrence*

Hello. My name is Vilma Lora. I am the Director of Women's Services at the YWCA of Greater Lawrence.

Among the programs I co-direct, I oversee our Domestic Violence Legal Advocacy component, and the Refugee & Immigrant Safety and Empowerment Program, both based at the Lawrence District Court.

I also oversee the Women's Health Advocacy Services program, which provides outreach, education, supportive linkage and referrals to breast and cervical cancer screenings for medically underserved women in our community. We also offer education to intergenerational women and girls, and to the community at large, on topics related to the prevention and management of Diabetes and heart disease.

My presentation before you today will focus on health inequities affecting immigrant women and women of color in the greater Lawrence community, and their challenges in accessing health services.

Lawrence is the most Hispanic community in the state, with 69% of its residents self-identifying as Hispanic in the 2000 Census. We expect this number to increase significantly in this year's census, judging by their increased outreach efforts and the rate at which new immigrants, primarily from the Caribbean, central and South America, are settling into Lawrence.

With a per capita income of \$13,360, Lawrence is one of the poorest communities in Massachusetts, with 24% of families living below the federal poverty level (9.3% statewide). Lawrence's current unemployment rate is 19.3%, one of the highest in the state. (State's unemployment level is 9.5%). (MA Dept. of Workforce Development)

Education is also a concern. A recent report released by Mass DPH reveals that 33% of the Lawrence residents surveyed in 2008 reported having less than a high school education while 50% had a high school education with some college. (A Profile of Health Among Mass. Adults in Selected Cities, 2008: Behavioral Risk Factor Surveillance System)

**As defined by the World Health Organization (WHO), Health is not merely the absence of illness, but a state of complete physical, mental, and social well being.**

Keeping that in mind, the data findings that I just shared accurately reflect the various social determinants of health preventing access to quality health care.

In line with our YWCA mission of eliminating racism and empowering women, our agency works to address health inequities as part of our racial justice charge. Through our work, we are

aware of the numerous barriers limiting access to adequate medical care for women and families in our community.

The barriers topping the lists are:

#### 1. Access to medical services:

- Lack of knowledge about the health care system and its complexities is definitely a barrier.
- With an average of 2-3 months waiting period for sites accepting new patients, the backlog at the local health clinic, our primary medical provider, is also a barrier! This backlog is attributed to a supply/demand issue relative to the limited number of resident doctors available to meet the increasing patient demands.
- Although uninsured/underinsured women ages 40-65 have access to the WHN program, the state-funded program that provides free breast, cervical and CVD screenings, we experience great difficulties when trying to refer medically underserved women outside of these age groups for these preventive services.
- In the absence of a health insurance and a primary medical provider, we refer uninsured/underinsured women to the local family planning clinic for low-cost, prompt cervical cancer screenings and checkups, but these services are limited if additional diagnostics or treatments are needed.
- Women also face difficulties to pay co-pays and insurance premiums. This is significant, particularly since we recently learned that a local provider is charging co-pays for speaking with the nurse educator, following receipt of their mammogram, so women are often choosing not to speak with the nurse. Women are also being charged co-pays for follow up diagnostic services and related subsequent medical visits. Although this entity offers a sliding scale fee program, income eligibility requirements are limiting. We've also learned that generally diagnostic services often come out of insurance deductibles, so this is yet another barrier for this medically underserved population.

#### 2. Application for Health Insurance

- As we know, women need to see a financial counselor prior to accessing medical services to determine eligibility for MassHealth or any other health insurance. These counseling services are typically located at medical centers, which often represent barriers for immigrant women with language barriers and limited or no knowledge of how to navigate the healthcare system. They often feel intimidated by the process and tend to delay accessing health preventive services.
- The estimated waiting period for a response on eligibility for MassHealth is 45 days; longer if the person is disabled.
- There are also barriers to navigating the MassHealth enrollment process. A survey of the Mass. Outreach and Enrollment Workers about calling enrollments centers revealed a summary of key findings. Two significant ones are:
  - The vast majority had to wait an average of 20 minutes or longer for a representative to answer the phone each time they called. Sometimes calls are disconnected without been answered.
  - Some respondents also reported difficulty accessing a contact who could resolve cases.
- These findings are echoed by our staff that assists women in making phone calls as part of our case management work. Staff also report difficulties when requesting a bilingual representative for our clients, at which point the waiting time and number of times calls are transferred are greater.



### 3. Mammography services

- Despite encouraging stats for Lawrence indicating a higher than state percentage of women over 40 reporting receiving a mammogram in the past 2 years, the local hospital has seen a 10% decrease in women accessing mammography services.
- Furthermore, the local health clinic reported a new trend of decrease mammograms in women between the ages 40—49.
- These decreases are easily attributed to recent changes in mammography guidelines released by the US Preventive Services Task Force and the heavy press that followed challenging these guidelines, which certainly serve to further confuse our community.

#### Some suggestions to address these issues:

- Community Based Organizations & Health Care providers should be encouraged to work in close partnership. For instance, we established the Lawrence Mammography Services Working Group work where providers come together to identify gaps in services for medically vulnerable women and collectively find solutions to address them.
- Increase opportunities and access for minorities to enter into the health care field, particularly medicine. This could, in turn, increase the number of physician residents coming into the local health clinic.
- Lastly, continue to improve quality and response of MassHealth customer service as well as increase community outreach programs to seat in grassroots organizations and communities (i.e., YWCA & Latino Health Institute partnership)

In 2009, there were 23 domestic violence related homicides. Data collected by JDI indicates that despite histories of domestic violence, very few victims of domestic violence homicide had received services from a local domestic violence programs prior to their murders and that few if any of the murderers, had ever participated in batterer's intervention programs. Since January 1<sup>st</sup> of this year eight women have been killed in DV homicides. In 2009, MA Domestic Violence Programs reported a critical shortage of funds and staff to assist victims who did come forward in need of services, such as emergency shelter, housing, transportation, childcare, and legal representation.

Rape Crisis Centers are also suffering from a lack of capacity to meet victims' needs. Last year, RCC's in MA answered more than 12,000 hotline calls. More than 1500 children, adolescents and adults were served by the Sexual Assault Nurse Examiners programs at emergency rooms. SANE nurses are specially trained and certified professionals skilled in performing quality forensic medical-legal exams. The SANE Program in the Merrimack Valley is located at LGH, to which the YWCA Rape Crisis Counselors respond 24/7. This year alone, the YWCA's RCC staff has been called to that hospital to support SA victims 86 times; in 2009 the total for the year was 103. Early intervention and specialized supportive services are critical in assisting victims of DV or SA to put their lives back together and begin the healing process.

A shortage of funds and staff to assist DV/ SA victims cannot be tolerated, especially considering the amount of courage and risk victims are taking when they do seek help. There is a need for more shelters and there is a critical need for more transitional housing as emergency shelters are overwhelmed and only a short-term solution. Because there are limited transitional supportive housing programs, like the YWCA OASIS Program, and a shortage of affordable permanent housing, victims remain in shelter far

longer than is considered a best practice. Transitional housing programs, where families can normalize and stay up to two years, offer supportive services, case management and job training which are integral to assisting victims and their families achieve safety and financial and personal stability. On April 22, YWCA staff and volunteers from Massachusetts and from across the country will advocate on Capitol Hill in Washington for more federal funding for transitional housing for survivors of domestic abuse.

While there is a need for more shelter and transitional housing programs, there is also a great need to change the way we address these issues. Women who are abused become further victimized by having to leave their communities to seek the safety of shelters, while their perpetrators are not held accountable. Let me give you an example.

Last week we had a single woman visit our program: she was bruised, had been beaten by her boyfriend the night before and didn't want to go home to the apartment she shared with him under his name. The only shelter available was in Holyoke, or Portsmouth NH. She's held the same steady job in the service industry for 10 years and felt she would lose her job if she left the area to enter the available shelters. In this economy especially, we cannot ask victims to sacrifice their incomes, which may be the only autonomy they have. Because her family had decided they could no longer help her by giving her a place to live, she was distraught. Keeping her safe in this community where she has lived and worked was an insurmountable challenge for our staff.

However, when transitional housing with supportive services is available, we have seen first hand how victims can heal from years of abuse, gain self-sufficiency and achieve a life free of violence. Born to an addicted mother and a father who died of AIDS when she was 5 years old, one resident of our

transitional living programs was placed in the foster care system as an infant, where she stayed. She then came to the YWCA as a 19 year old mother of her 2 year old son, a victim of abuse from his father. Her two-year journey with us positively altered her life's path. She completed college training as a dental assistant and secured affordable public housing. She continues to pursue her bachelor's degree, works part time and visits us regularly where her son still remains in childcare.

Mary B. O'Brien  
Deputy Director  
YWCA Greater Lawrence

March 31, 2010

**Berkshire County Commission on the Status of Women**  
Annual Report – May, 2010

**The Berkshire County Commission on the Status of Women** was created through legislation supported by Massachusetts College of Liberal Arts and former State Senator Andrea Nuciforo. Once the legislation came into effect in September of 2004, the inaugural slate of nine commissioners were appointed to the Commission including in February of 2005. Now, five years later, we are planning a June 11, 2010 press conference to announce our anniversary which will include a salute to our four recent *Unsung Heroines*.

Current Commissioners include:

Tara Jacobs  
Jennifer Kersch  
Pam Malumphy - Chair  
Katrina Mattson  
Susan Mongue  
Mary O'Brien  
Amy Binette Wolfe  
Eleanore Velez  
Abbie Von Schlagell

Currently, Chair Pam Malumphy is also an appointee to the Massachusetts Commission on the Status of Women and co-chaired the May, 2010 *Unsung Heroine* event at the State House honoring women throughout the Commonwealth who make not make the newspapers but make a difference everyday in our communities. As stated prior, we will be holding a 5<sup>th</sup> Anniversary Press Conference to swear in our three new commissioners and salute the four *Unsung Heroines* from Berkshire County.

Over the past year, two very important issues were the focus of the BC Commission: pay equity and teen pregnancy prevention. With regard to pay equity: the Commission was honored to provide testimony to the state legislature regarding legislation on comparable worth. The effort to coordinate the testimony was done on a state-level by the Mass Commission and, as a regional partner, we were thrilled to participate. In March of 2010, the BC Commission produced its own television program on pay equity with Commissioners Susan Mongue, Eleanore Velez, and Pam Malumphy as hosts and producers. The guest was Cynthia Haddad, a resident of Pittsfield who has gained national recognition for her successful lawsuit against WalMart citing pay equity issues with male counterparts. It was a fascinating program and we seek to produce two more episodes for 2010.

With regard to teen pregnancy prevention: the BC Commission has worked over the past two years to create a collaborative of community and regional entities willing to partner over this epidemic shattering Berkshire County. We are currently working with the Berkshire United Way and at least 20 other organizations to apply for newly allocated federal monies under the office of adolescent health for teen pregnancy prevention. The Berkshire United Way has been an incredible force in the community for change and we are thrilled with their leadership and determination. For the first time, we have been able to gather a robust team of regional leaders around the table to apply for these monies and we are hopeful for a very good outcome.

**Broadly Speaking – What Do We Want to Accomplish?**

- Improved economic opportunity and income
- Change consciousness and raise awareness about issues effecting women
- Broaden cultural/gender perspectives
- Participation in the community (including the political community)
- Breakdown isolation for women

**How Does the Commission Wish to be Seen in the Community?**

As an organization, we want to be recognized in the community as a group that influences and has our finger on the pulse of issues effecting women. Commissioners shared the following as issues that are impacting the lives of women:

- Pay Equity
- Teen Pregnancy
- Domestic Violence

**From the list above, what are the priority issues?**

Pay equity and teen pregnancy prevention.

**Who Are the Stakeholders?**

Berkshire United Way is our key partner for teen pregnancy prevention and the State Commission has been a key partner with pay equity issues.

**How Do We Effectively Address Issues Cited Above?**

Currently, the Commission is co-facilitating a series of meetings with community and regional stakeholders as we apply for new federal monies directed at adolescent health, specifically – teen pregnancy prevention. With regard to pay equity, we will continue produce television programs aimed at this issue to continue enlightening the community about the disparity which still exists.

**Are We Working Efficiently?**

The Commission has been less populated than we would have liked over the past year. However, with three new Commissioners, we are poised to continue our work. We still meet monthly, hold an annual planning retreat, and participate in regional programs aimed at teen pregnancy prevention and pay equity issues.

**Summary of 2009-2010**

As I speak for the Commission, I would say that we would be most proud of presenting a very worthwhile television program on pay equity, testified at the State House for comparable worth, and are now co-facilitating a grant application to the federal government with a consortium of about 20 agencies county-wide to address teen pregnancy in a comprehensive way. We are looking forward to our annual planning retreat in August which will include the following: further television programming on issues that we promote; continued work with our local and state legislative members; a new luncheon which will include four women panelists discussing critical issues effecting women in our County; continued facilitation of the federal grant and consortium work on teen pregnancy prevention.



## Bristol County Commission on the Status of Women

Bristol County Commission on the Status of Women  
Annual Report  
May 27, 2010

### *BCCSW Commissioners*

*Gail Fortes, Co-Chair  
New Bedford, MA*

*Juli Parker, PhD., Co-Chair  
Swansea, MA*

*Denise Hoyt, Secretary  
Swansea, MA*

*Jean Cotter-Fox, Treasurer  
Freetown, MA*

*Ellen Heffernan - Dugan  
Norton, MA*

*Carolann McCarron  
Raynham, MA*

*Gale Schultz  
South Dartmouth, MA*

*Ginny Starvish, RN  
Berkley, MA*

On the last day of Women's History Month, March 31, 2009, the Bristol County Commission on the Status of Women began its first year with the swearing in of nine commissioners:

*Micalia Britto, Mansfield  
Jean Cotter-Fox, Freetown  
Gail Fortes, New Bedford  
Ellen Heffernan-Dugan, Norton  
Ginny Starvish, Berkley*

*Denise Hoyt, Fall River  
Carolann McCarron, Raynham  
Dr. Juli Parker, Swansea  
Gale Schultz, Dartmouth*

The following were nominated and elected as officers:

*Gail Fortes, Co-Chair  
Juli Parker, Co-Chair  
Micalia Britto, Secretary  
Jean Cotter-Fox, Treasurer*

During the year Micalia Britto resigned. BCCSW developed a procedure to review new applicants and is working with MCSW to fill the open seat for commissioner.

Following Micalia Britto's resignation, Denise Hoyt was nominated and elected to the position of Secretary.

By-Laws and a mission were approved and are in line with the MCSW and the other regional commissions. A logo, letterhead and brochure were developed and a website is slated to be developed during the summer of 2010. A mailing address and email address list have been established, and monthly meetings are scheduled for the third Wednesday of each month, except July and December. A letter introducing the Commission was developed and circulated to approximately 60 organizations throughout Bristol County, targeted primarily at those organizations working with women and families.

The Commission has not developed any protocol or planned any events for fundraising as of this time. The focus was to solidify the organization, develop materials, and plan events to identify compelling issues for women in Bristol County. The Commission anticipates discussion of fundraising opportunities and procedures during the next fiscal year.

A schedule of public hearings was planned and convened. The Commissioners determined that hearings would be held in various locations throughout Bristol County and that each hearing would open with a presentation on a topic of significant relevance to women, which would then stimulate conversation among attendees. The first hearing was held on October 19, 2009 at Morton Hospital, Taunton, with approximately 25 individuals attending.

*The mission of the Bristol County Commission on the Status of Women is to provide a permanent, effective voice for women across Bristol County that facilitates and fosters community and inclusiveness among women. The Commission stands for fundamental freedoms, basic human rights and the full enjoyment of life for all women throughout their lives.*



## Bristol County Commission on the Status of Women

*BCCSW Commissioners*

*Gail Fortes, Co-Chair  
New Bedford, MA*

*Juli Parker, PhD, Co-Chair  
Swansea, MA*

*Denise Hoyt, Secretary  
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Norton, MA*

*Carolann McCarron  
Raynham, MA*

*Gale Schultz  
South Dartmouth, MA*

*Ginny Starvish, RN  
Berkley, MA*

Ginny Starvish presented on the topic of Breast Health and services available through Morton Hospital and the state. Denise Hoyt presented on the topic of Domestic Violence. The hearing was then opened to attendees to discuss issues of concern to them and other women in Bristol County.

A second hearing scheduled for March 30, 2010, at Family Services Association in Fall River, was cancelled due to flooding in the Bristol County area. The topic, Pay Equity, is being rescheduled for the fall 2010 in Fall River.

A hearing was also held on May 19, 2010 at the New Bedford Public Library with approximately 15 individuals attending. The topic was girls in education and was presented by Lisa Yates, Executive Director of Our Sisters' School, New Bedford. Our Sisters' School is a private girls' school that has a competitive admissions process and requires significant parental commitment and involvement. Located in the city of New Bedford, which is plagued by low high school graduation rates (56% in 2009) and high poverty rates (with 88% of New Bedford children in poverty living with their mothers only), the school was established to address these priorities as well as the persistent problem of single-parent dominated families. A child raised by a single mother in New Bedford is 7 times more likely to grow up in poverty than his or her state counterpart because most of those mothers lack a high school credential. Since the success of children in school and in the world of work correlates directly to the mother's educational attainment level, school leaders were determined to break the cycle of poverty in the city by educating its young women. Our Sisters' School has a strong Science, Technology, Engineering, and Mathematics (STEM) focus, which is an area of educational and economic focus by the Commonwealth. STEM careers are not typically pursued by women. The presentation spoke to these issues and their efforts to be change agents in the community.

The floor was then opened for discussion, which was enthusiastic and highly interactive.

Issues identified to date include:

Homelessness for women /families	Domestic Violence
Education	Sexual Abuse/Assault
Women Veterans	Mental Illness
Disabilities and women	Language Barriers
Healthcare	Pay equity
Transportation	
Legislative Support of Women's Issues (e.g., DTA policies)	
Single women's eligibility for services	

Following the third hearing commission members will identify issues deemed to be a priority and develop a comprehensive plan to begin to address one or more of these concerns.

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## Bristol County Commission on the Status of Women

### *BCCSW Commissioners*

*Gail Fortes, Co-Chair  
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Norton, MA*

*Carolann McCarron  
Raynham, MA*

*Gale Schultz  
South Dartmouth, MA*

*Ginny Starvish, RN  
Berkley, MA*

Goals for the upcoming year include: hiring of an intern, setting up social networking, developing additional marketing materials, increased utilization of the media (including cable television, radio, and print), raising the awareness of the Commission; involving area women in the Commission; and maintaining a database of and communicating regularly with participants in BCCSW events. In addition, the Commission will share its findings with Bristol County legislators and request their support for the region's women. The Commission expects to invite members of the local delegation to a meeting in the next fiscal year to alert them to the Commission's activities and to begin a dialog on the salient issues pertaining to women in this area.

The Bristol County Commission and the Cape and Islands Commission are planning a joint meeting in the fall of 2010.

Submitted by: Juli Parker & Gail Fortes, Co-Chairs, Ellen Heffernan-Dugan and Jean Cotter-Fox

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Cape Cod and Islands Commission on the Status of Women

Annual Report  
May 24, 2010

- Janice Barton, Chair  
Marston Mills*
- Evelyn Young, Vice Chair  
Cotuit*
- Pamela Pollock, Secretary  
Cataumet*
- Helen Bresnahan, Treasurer  
Centerville*
- Theresa Mitchell Barbo  
Yarmouth port*
- Barbara Dixon  
East Falmouth*
- Barbara Gookin  
Nantucket*
- Janet Swain Joaquim  
Centerville*
- Catherine King  
South Dennis*
- Cheryl Osimo  
Barnstable*
- Deborah Thompson  
South Dennis*
- Janet Uhler-Tinney  
Eastham*
- Elaine Cawley Weintraub  
West Tisbury*

The Cape Cod and islands Commission on the Status of Women began its inaugural year with the swearing in of 12 commissioners at the Barnstable County Court House on June 13, 2009:

- |                                     |                                              |
|-------------------------------------|----------------------------------------------|
| <i>Janice Barton, Marston Mills</i> | <i>Cheryl Osimo, Barnstable</i>              |
| <i>Helen Bresnahan, Centerville</i> | <i>Pamela Pollock, Cataumet</i>              |
| <i>Barbara Gookin, Nantucket</i>    | <i>Deborah Thompson, South Dennis</i>        |
| <i>Janet Joaquim, Centerville</i>   | <i>Janet Uhler-Tinney, Eastham</i>           |
| <i>Susan Kadar, Truro</i>           | <i>Elaine Cawley Weintraub, West Tisbury</i> |
| <i>Catherine King, South Dennis</i> | <i>Evelyn Young, Cotuit</i>                  |

The 13<sup>th</sup> commissioner, Emily Gold, Falmouth declined her appointment. During the year, Susan Kadar also resigned, and after consultation with MCSW, CCICSW developed a nominating procedure to fill vacancies and solicited applications for 2 additional commissioners to fill the open commissioner seats. *Theresa Barbo, Yarmouthport and Barbara Dixon, East Falmouth were sworn in March 2010.*

The commission got to work with the nomination and election of officers:

- Janice Barton, Chair*
- Evelyn Young, Vice Chair*
- Pamela Pollock, Secretary*
- Helen Bresnahan, Treasurer*

Bylaws and mission were approved and have been amended to be in line with MCSW and the other regional commissions. A logo, letterhead, and brochure were developed and a website is under construction. CCICSW applied for and received a fed tax ID number and set up protocols on how to accept donations and raise funds using. Cape and Islands Action Committee will serve as the fiscal conduit for the commission. Communication and PR protocols have also been set up, a mail stop established at the Barnstable Town Hall and a regular meeting schedule established at Barnstable Town Offices on the 2<sup>nd</sup> Monday of the month.

Trainings in Robert's Rules, convening executive session and conflict of interest, political activity and emails and open meeting law were held.

A series of outreach meetings across the cape were planned and initiated. 44 attended the first forum/hearing on March 30 at Cape Cod Community College where a panel including President Kathy Schatzberg, Cape Cod Community College, Representative Sarah Peake and Estella Fritzingler of the Cape and Islands Community Action Committee spoke to "Looking Forward – Cape Cod and Islands Women in the 21<sup>st</sup> Century. Nine women submitted testimony. A second forum/hearing is planned for June 9<sup>th</sup> in Eastham and a 3<sup>rd</sup> will be held on the upper cape in early fall.

Issues of concern

- |                                            |                                 |
|--------------------------------------------|---------------------------------|
| 1. Childcare                               | 7. Healthcare                   |
| 2. Housing                                 | 8. Food – resources             |
| 3. Transportation                          | 9. Pay Equity –                 |
| 4. Domestic Abuse                          | 10. Teen pregnancy              |
| 5. Networking                              | 11. Women in Office – education |
| 6. Employment/Education/<br>Training Funds | 12. Drug Abuse                  |

*The mission of the Cape Cod and Islands Commission on the Status of women is to provide a permanent effective voice for women across Barnstable, Dukes and Nantucket Counties that facilitates and fosters community and inclusiveness among women. The Commission stands for fundamental freedoms, basic human rights and the full enjoyment of life for all women throughout their lives.*

### Cape Cod and Islands Commission on the Status of Women

Once the forums are completed, the commission will set priorities and develop a plan to address the top 2 or 3 issues.

In response to the first forum, the commission will begin to track legislation on the issues that have been identified; continue to build a regional resource list; and track any articles regarding the CCICSW through a news clipping service through an in-kind donation.

Goals for the commission include: a candidates forum focusing on women's issues in partnership with LOWV and other groups, a workshop for women interested in elective office and recognizing women in and running for office to encourage more women to run; raising the awareness of the commission; involving cape women in the commission; and maintaining a database of and communicating regularly with participants in CCICSW events

The Bristol County Commission and the Cape and Islands Commission are planning a joint meeting in the fall of 2010.

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## MCSW Legislative Committee Action Report, October 2009-March 2010

October 1, 2009: Planning meeting with State Sen. Jehlen, State Rep. Wolf, Commissioners Corbett, DeFranco, and McCrea, MCSW Director Ashton.

October 28, 2009: Hearing before Labor & Workforce Development Committee—MCSW organized to bring the following witnesses to testify before the committee:

Angela Menino, MCSW Commissioner; former Lt. Governor Evelyn Murphy; Lee Goldstein, Lead Counsel in *Jancey v. Everett*; Joanne McCrea, MCSW Commissioner on behalf of Anne Wojkowski; Marisa DeFranco, MCSW Commissioner.

December 14, 2009: Legislative visits to nine (9) members of Labor & Workforce Development Committee by Commissioners McCrea, Nemzoff, and Ali.

January 6, 2010: Legislative visits to ten (10) members of Labor & Workforce Development Committee by Commissioners McCrea, DeFranco, MCSW Director Ashton.

January 12, 2010: Letter to State Rep. Coakley-Rivera and State Senator McGee from Commissioners Corbett, DeFranco, and McCrea, asking for favorable discharge.

January 28, 2010: Leg Visits nine (9) members of Labor & Workforce Development Committee by Commissioners McCrea, Nemzoff, and DeFranco, MCSW Director Ashton.

February 26, 2010: Labor & Workforce Development Committee voted bill out FAVORABLY.

March 4, 2010: Formal reporting date, Committee sent to Ways and Means Committee.

March 10, 2010: Meeting with Speaker DeLeo, Commissioners DeFranco, McCrea, and Nemzoff, MCSW Director Ashton

March 12, 2010: Meeting with Senate President Murray's staff, and other counsel. Commissioners McCrea, DeFranco (via phone) with Arianna Kelly (Murray staff) Shane Blundell (Counsel to Senator Steven C. Panagiotakos), Kate Cook, (General Counsel to Ways & Means).

March 17, 2010: Meeting with Governor Patrick and his Director of Governmental Affairs Patricia Wynne, Commissioners DeFranco, McCrea, Nemzoff, MCSW Director Ashton.

In addition to the above-specified actions, Commissioner McCrea was continually in contact with Senator Murray's office, and Commissioners DeFranco and McCrea were in contact with Chair Coakley-Rivera's office through phone calls and emails, specifically providing her research staff with requested information on CW.

April 6, 2010: Commissioners McCrea and DeFranco met with Senator Panagiotakos, Chair of Senate Ways and Means. Eight staff were present, including Kate Cook, Arianna Kelly, and Shane Blundell.

April 6, 2010: Commissioners McCrea and DeFranco met with Senator Jehlen and Alaynna Van Tassel.

April 15, 2010: Equal Pay Day State House Event.

Commissioners DeFranco and Joanne McCrea represented the MCSW at the State House event and advocated for passage of S. 689. MCSW Director Jill Ashton also represented the Commission.

April 21, 2010: MCSW Interns delivered 200 legislative packets to all legislators.

May 10, 2010

Commissioners DeFranco and McCrea met with Senate President Therese Murray about S. 689. Senate President Murray encouraged Commissioners DeFranco and McCrea to talk to AIM and NFIB regarding the bill.

May 19, 2010

Commissioner McCrea spoke with Senator Berry and Representative Grant about S.689.

May 21, 2010

Commissioner DeFranco called and spoke with Bradley A. MacDougall, Associate Vice President – Government Affairs for Associated Industries of Massachusetts (AIM.) regarding a letter to Senator Panagiotakos, Chair of the Senator Ways and Means Committee. Commissioner DeFranco relayed that the Commission is reaching out and hopes to have continued dialogue with AIM and other members of the private sector on the comparable work issue.

May 21, 2010

Governor Patrick sent a letter in support of S.689 to the Chairs of Ways and Means.

### **Other Action Items**

February 4, 2010: MCSW submitted written testimony opposing S509, H889 “An Act Relative to Savings Bank Life Insurance”.

**TESTIMONY SUBMITTED BY THE MASSACHUSETTS COMMISSION ON THE  
STATUS OF WOMEN**

**Presented by Commissioner Marisa DeFranco**

**IN SUPPORT OF HOUSE BILL 1880, SENATE BILL 689**

**Joint Committee on Labor and Workforce Development  
Public Hearing  
October 28, 2009**

In 1989, Marilyn Jancey, a cafeteria worker for the Everett public schools, and her sister plaintiffs sought justice in the form of equal pay for comparable work. After an initial victory in the trial court, the Supreme Judicial Court vacated that award and sent the case back to the trial judge for additional proceedings. In 1998, when the door finally and completely closed on their pursuit of equal pay for comparable work, Justice Margaret Marshall flatly summed up the loss for women, “Today, the court withdraws from the difficult challenge of analyzing comparable work and forsakes the quest for gender equity in workplace compensation.” Justice Marshall (now Chief Justice) Jancey v. School Committee of Everett, 427 Mass. 603, 608 (“Jancey II”). Now, eleven (11) years later, we ask you, the Legislature, to renew this quest and put Massachusetts back on the path of true pay equity. The status of women will not improve in the Commonwealth unless and until they have full economic justice and laws that help them obtain justice and equity.

**History of M.G.L. c. 149 § 105A and Jancey Case**

On July 10, 1945, Massachusetts adopted legislation instituting the requirement of equal pay for comparable work. With this legislation, Massachusetts was the first state in the country to recognize and codify the concept of comparable work. Though the legislature reworked the statute in 1947, which limited the law somewhat, in 1951, it reinstated the term “comparable” back into the statute and also added the term “like.” Thus the current statute reads, “work of like or comparable character or work on like or comparable operations.” The substance of this statute was not fully tested until Marilyn Jancey and her co-workers filed a complaint against the Everett Public Schools, their employer.

At the time of filing, 1989, these cafeteria workers, all women, earned \$6.44 to \$6.85 an hour. Custodians, all men, earned \$10.76 to \$12.73 an hour. Thus, on the lower end of the scale, the men earned 40% more than the women, and at the top of the scale even more, 47%. The trial judge found in the women’s favor because he determined that the two jobs were similar in that they required no prior experience, training or education, and moreover, that they had the commonalities of exposure to extreme heat and cold, exposure to various cleaning agents, and a comparable level of physical and mental exertion. Yet, even though the women could show that the two positions were comparable in the four points of skill, effort, responsibility and working conditions, the Supreme Judicial Court (“Court”) overturned the trial judge because of the failure of the statute to define the term “comparable.”

**Defining One Term, Changing Women’s Lives by the Multitude**

The reason for the cafeteria workers’ loss is plain: the Massachusetts statute does not define the word “comparable.” Because of this lack of definition, the Court came up with an

analysis and an arbitrary two-part test. The Court held that in order for two jobs to be comparable, they must meet a substantive content test first. If the jobs do not meet the “important common characteristics” test, then they cannot get to the second question of whether the jobs have comparable responsibility, skill, effort and working conditions. “MEPA does not specify a particular set of factors to be used in determining whether work is comparable rather than equal.” Jancey v. School Committee of Everett, 421 Mass. 482, 488.

Thus, even though the cafeteria workers could meet their burden on the second prong, that their duties were comparable to the custodians on all four points, that accomplishment is useless because they could not get past the definitional part of the court’s first-prong test, “substantive content.” The Supreme Judicial Court’s decision is clear: “The word ‘comparable’ is not defined in the statute.” Id. at 486. As the Legislature knows, whenever a statute is vague, in the ensuing vacuum, the task of defining certain terms is left to the courts. In this case, the fix is easy—define “comparable” in the statute and give a law first passed in 1945 the substance it needs in order to move women closer to gender equity. Similar to the Lily Ledbetter case, where the Supreme Court of the United States made a bad decision, the U.S. Congress acted swiftly to right that wrong. Here, the Massachusetts Legislature has the opportunity to pass this bill and right the wrong that has lingered for two decades.

### **Real Numbers, Real Losses**

As the state body charged with the advancement of women toward full equity in all areas of life and with the honored task of promoting rights and opportunities for all women, the Massachusetts Commission on the Status of Women is critically concerned with the economic hurdles facing women, and our public hearings echo those concerns across the Commonwealth. We have had several public hearings surrounding the issue of wage equity. The Lowell Public Hearing on March 6, 2007, focused on women’s wage equality. The hearing included over ten testimonies that demonstrated the urgency of the issue at hand. In addition, we have held five hearings in the past two years that have discussed pay wages, including Dartmouth, Amherst, Bridgewater, Boston and Springfield.

The example of Jancey is, again, illustrative. At the time of filing, 1989, the cafeteria workers, who were all women, earned \$6.44 to \$6.85 an hour. Custodians, all men, earned \$10.76 to \$12.73 an hour. Extrapolate the numbers on the lower end of the scale over a 30-year career, and you see that a woman loses \$259,200. In fact, she loses even more than that amount because this number is a raw figure, not adjusted for COLA or taking into consideration any kind of pension or other benefits that might have accompanied the positions. The Commonwealth can ill afford to have many members of half its population, who are entitled to fair and equal pay for a hard day’s work, lose a quarter of a million dollars over a lifetime of work.