

# 2019 Progressive Agenda

FOR STATES  
AND LOCALITIES

**PUBLIC**  
**LEADERSHIP**  
(INSTITUTE)



2019

## PROGRESSIVE AGENDA FOR STATES & LOCALITIES

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**The Public Leadership Institute** is a nonprofit nonpartisan policy and leadership center organized to explore and raise public awareness about issues of equity and justice and to develop public leaders who will improve the economic and social conditions of all Americans.

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Dear Friends:

We are proud to offer you the sixth annual edition of our *Progressive Agenda for States and Localities*, a policy handbook that is unlike any other. It describes a vision for progressive policy across the issues, featuring 50 model bills and providing hyperlinks to more than 100 others.

We focus on leaders like you in the states and localities because you are at the vanguard of the progressive movement. You are proposing and enacting the nation's most far-reaching, proactive measures. You are turning states and localities into proving grounds for the newest and best policy ideas.

While Congress has been standing still or moving backwards, states and localities have raised the minimum wage, guaranteed sick leave to workers, outlawed racial profiling, protected immigrants from harassment and LGBTQ people from discrimination, addressed climate change, discouraged smoking, expanded healthcare coverage, promoted reproductive rights, and enacted a wide variety of election reforms.

The purpose of the *Progressive Agenda* is to empower and encourage you to go further, to fashion a proactive agenda for your state or locality. Americans are counting on you to help solve some very big problems. Whether you're in a red or blue jurisdiction, residents want you to lead them boldly.

In fact, this volume is just one of the resources that the Public Leadership Institute offers to lift up crucial issues and develop public leaders at the state and local levels. We also publish a messaging guide, *Voicing Our Values*; an advocacy handbook, *Preparing to Win*; the *Playbook for Abortion Rights*; and the *Community Schools Playbook*. We promote all of our policy, messaging and advocacy resources with conferences, workshops, webinars, and trainings in states and localities across the nation.

We are here to help you and your colleagues realize your vision for what's possible, so please call on us to assist you in any way you need.

Enjoy this resource and all the others the Public Leadership Institute prepares for you. But, more importantly, *employ* this resource to make the necessary policy changes your constituents need you to make.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Gloria Totten', written in a cursive style.

Gloria Totten  
President

# Civil Rights & Liberties

**OUR VALUES:** Freedom, liberty, fundamental rights, fundamental fairness, basic rights, constitutional rights, personal privacy, justice, equal opportunity, fairness, stopping discrimination and government intrusion

**OUR VISION:** Our nation was founded and built upon the self-evident truth that everyone is created equal. That ideal calls us to defend liberty and justice for all people, with no exceptions. In the 21st century, three policies are of foremost importance: (1) outlaw discrimination based on race, gender, age, disability, religion, ethnicity, sexual orientation or gender identity; (2) guarantee fundamental fairness for immigrants; and (3) protect our privacy from government intrusion.

## Forbid discrimination

It has been more than half a century since the civil rights movement, aided by the Warren Supreme Court, started a revolution against discrimination. That cause endures. Women and people of color continue to be underrepresented in government and other places of power, so some jurisdictions implement **affirmative action** while others promote more **aggressive enforcement** of **anti-discrimination** laws, especially in claims for **fair** and **equal pay**. Too often police wrongly **employ racial profiling**. Most states and localities currently do not protect LGBT people from discrimination in **employment** and **other** areas, but there are **many** ongoing efforts to correct that. Progressives must beat back efforts to legalize discrimination, like policies that target Muslim Americans and laws which invite businesses to discriminate against gay and lesbian people.



## Ensure fairness for immigrants

More than 40 million American residents are foreign-born. About three-fourths of these are authorized residents, and yet, whether authorized or not, they often face discrimination. Millions more Americans were born in the U.S. but face discrimination because they *look* foreign. Progressive states and cities are responding by **limiting government inquiries** into immigration status, refusing some federal **immigration detainer requests**, authorizing **driver's licenses** regardless of immigration status, making government **ID cards** available to all, and providing information about government requirements, programs and services in **various languages**.

## Protect privacy from government intrusion

Many government agencies, including state and local law enforcement, are amassing vast databases about people's personal and business relationships, where they have been, and more. Progressives are starting to push back by **requiring warrants** for law enforcement to access the most sensitive personal data and limiting **how long data can be kept** by police. In some cases, governments are limiting the **collection, sale or use of government-generated data**, especially information **about schoolchildren**.

For direct hyperlinks to model bills, go to [www.progressiveagenda.org](http://www.progressiveagenda.org)

## FEATURED POLICIES FOR 2019

### Don't ask immigration status

When immigrants believe that state or local law enforcement agents are involved in the enforcement of federal immigration law, immigrants—fearing harassment or deportation—simply decline to report crimes or suspicious activity. The result is twofold: criminals see immigrants as easy prey, and offenders who could have been caught remain on the streets, putting everyone at risk of becoming the next victim. Assigning the role of immigration law enforcer to local police both overburdens law enforcement and increases the risk of racial profiling. And local police usually lack the training needed to enforce our nation's complex web of immigration laws. States and localities should adopt policies **prohibiting government inquiry into immigration status** unless otherwise required by superseding law.

### Use government contracts to protect individual rights

States, cities and counties have routinely included language in government contracts that prevent certain types of discrimination, usually based on a few factors such as race, religion and national origin. Because the federal government is currently rolling back fundamental civil rights protections, it is important for states and localities to step in and do all they can. And one thing they can do is **expand the types of discrimination forbidden to government contractors**, adding factors such as gender, marital status, sexual orientation, and gender identity or expression.



### Embrace diversity in public agencies

As a result of historic factors and, sometimes, outright discrimination, the employees in public agencies are often disproportionately white and male. Greater diversity is valuable not only to promote equity, build respect for others and better reflect the population served, but also to increase the cultural competence of any office which inevitably improves the services provided. Diversity is a strength which can be encouraged through the **Public Agency Diversity Act**.

### Stop racial profiling

Thirty-two million Americans have been the victims of racial profiling, according to an Amnesty International report. Racial profiling and racially motivated policing result in a breakdown of communication between police and the public, undermining law enforcement's ability to ensure public safety. Cities, counties and states can combat these practices by **prohibiting the selection of individuals** for interrogations, searches and frisks based on race or other improper factors. Law enforcement should be required to **train officers** to recognize the difference between good policing and injudicious stereotyping.



# Consumer Protection

**OUR VALUES:** Justice, equal justice, civil justice, equal opportunity, fairness, fair rules, fair markets, level playing field, security, safety, protection

**OUR VISION:** We need a marketplace that is fair to everyone. That requires fundamental rules to ensure consumer products are safe and the terms of sales and investments are open and honest. In four ways, we need to guarantee that everyone plays by the same fair rules by: (1) ensuring that food is safe, drugs are pure, and products are free from dangerous defects; (2) compelling all businesses to follow basic rules of economic decency; (3) protecting individuals' private information; and (4) guaranteeing justice for average Americans and small businesses in civil litigation.

## Safeguard consumer product safety

The federal government created consumer product safety law piecemeal, beginning with minimum standards for flammable fabrics in the 1950s. The Consumer Product Safety Commission, authorized in 1972, provides the most protection on the federal level, but it's still not enough. Thus, states also provide a layer of protection, such as **California's Safe Cosmetics Act**, **Washington's Children's Safe Products Act**, bans on **toxic chemicals** in children's products, restrictions on **genetically engineered foods**, and numerous state regulations about the **handling and preparation of food**.



## Outlaw unfair practices

Markets benefit society only when the same rules are fairly applied and vigorously enforced on everyone. States, cities and counties play a big role in preventing **unfair** or **fraudulent practices**. Recently, there has been a particular urgency to regulate financial services by limiting predatory mortgage lending and **payday lending**; stopping unnecessary property **foreclosures** and unfair **debt collection practices**; and controlling the **marketing of credit cards**, debit cards, and **pre-paid cards**.

## Protect privacy from businesses

Technology is advancing at a phenomenal rate and it is causing new problems for individuals who want to protect their privacy. Businesses are creating and often selling data profiles about millions of Americans—including where we go on the Internet, what we buy, what we're interested in, and even where we physically are or have been. So, many jurisdictions have implemented special protections against **identity theft** and other **violations of privacy**.

## Defend the civil justice system

There has been a decades-long attack on the rights of average Americans to sue businesses for wrongdoing. Called "tort reform," this effort isn't "reform" at all; it is a cruel shifting of costs from rich companies that caused injuries to the unfortunate people who were injured. States can push back and make their courts fairer by discouraging contract clauses that require **forced arbitration** or waivers of injunctive relief, and by providing punitive damages and class action relief through legislation that creates **minimum standards of contract fairness**.

For direct hyperlinks to model bills, go to [www.progressiveagenda.org](http://www.progressiveagenda.org)

## FEATURED POLICIES FOR 2019

### Protect customers' private information

Corporations possess a tremendous amount of personal information about customers and potential customers. When these companies are hacked, individuals may have their money, credit and identities stolen. Massive data breaches have become painfully common, from Equifax and Target to Yahoo and Marriott. To ensure the security of customer records, the **Data Privacy Protection Act** requires that any business that handles or stores the personal information of any resident of the state must meet certain security standards to protect the information.

### Limit the use of personal information by ISPs

In 2016, the Federal Communications Commission established rules to limit how Internet service providers (ISPs) like AT&T, Comcast and Verizon, can use a customer's personal information. For sensitive data, ISPs needed active permission from the customer before using geographic location, children's information, health and financial information, Social Security numbers, web browsing history, app usage history, or the content of a customer's communications. For less-sensitive personal data, ISPs needed to allow customers to opt-out. But in early 2017, Congress and the President overturned those FCC rules. States can protect their own residents with the **Internet Privacy Protection Act**, which forbids ISPs from using or selling sensitive personal information without consent.



### Outlaw price gouging during emergencies

Because of climate change, extreme weather events have become common. Any part of the country may see the next emergency. Sadly, it is not unusual for sellers to try to make windfall profits during hurricanes, earthquakes, wildfires and floods, and most states do not have an effective law to protect consumers. The **Protection from Price Gouging During Emergencies Act** deters price gouging by placing a percentage limit on the amount that certain products and services can increase in price.

### Regulate prepaid debit cards

Every year, Americans spend more than \$100 billion on prepaid gift cards for retail stores, restaurants and "universal" prepaid debt cards like Visa. The federal Credit Card Accountability Responsibility and Disclosure Act of 2009 (CARD Act) provides a number of important consumer protections. But many states have adopted versions of the **Prepaid Card Consumer Protection Act** that go beyond the federal law to ban expiration dates, prohibit service fees, and/or allow customers to get cash when a card's value falls to less than \$5 or \$10.



# Education

**OUR VALUES:** Opportunity, equal opportunity, fairness, fair share, level playing field, opportunity for each and every child

**OUR VISION:** Our public schools must provide each and every child the opportunity to achieve their fullest potential in life. Children are not standardized; each one needs and deserves personalized instruction. That requires both fully qualified professional teachers and opportunities to learn outside of class. Every jurisdiction needs to: (1) provide adequate funding for public schools; (2) deliver instruction in a way that recognizes the differences in both the interests and needs of specific children; (3) provide opportunities to learn outside of classroom time including afterschool, arts and recreational programs, and libraries; and (4) make schools a safe and fair environment for everyone.

## Ensure adequate school funding

K-12 school funding was substantially cut due to the Great Recession and most states are still providing less per student than they did in 2008. Alabama, Arizona, Georgia, Idaho, Mississippi and Oklahoma each cut school spending by more than 15 percent. In addition, most states allow substantial disparities in per-pupil school funding from one jurisdiction to another. States and school systems should ensure that school spending is **transparent**, that **money is not wasted** on consultants, standardized tests or **school vouchers**, and that **universal pre-K** is fully funded.

## Deliver personalized not standardized instruction

We must recognize that there are no standardized children; every child has different strengths and weaknesses. That's why all schools must offer a complete curriculum provided by professional teachers who have the training to give the individualized attention every child needs. School systems need to **deemphasize standardized tests** and pre-packaged lessons, and instead **hire** and stand behind **fully trained teachers** who give each and every student the opportunity to achieve their fullest potential in life.

## Provide opportunities outside of class

A great deal of children's learning happens outside of the classroom. Kids learn from art, music and dance programs, from athletics, nature and the outdoors, from games and hobbies, from afterschool clubs of all kinds, and from independent reading for pleasure. States and localities need to fully fund libraries, **support nonprofits** that provide after-school and summer programs for disadvantaged youth, and **create community schools** to address each child's needs.

## Offer safe schools with fair discipline

In order to learn, children need schools that are safe and welcoming. Harassment, intimidation and bullying are well-known to impede students' ability to learn. Students who are bullied are far more likely to skip school and earn poor grades, and many states and individual school systems have implemented **safe school policies** to address the problem. Yet, it is also clear that some school systems **overuse their discipline processes** or enforce inflexible **zero-tolerance policies**, often in ways that disproportionately affect children of color. The U.S. Departments of Education and Justice jointly created **national guidelines on school discipline** that should be implemented at the state and local levels.

For direct hyperlinks to model bills, go to [www.progressiveagenda.org](http://www.progressiveagenda.org)

## FEATURED POLICIES FOR 2019

### Encourage community schools

Community schools provide comprehensive programs and services that are carefully selected to meet the unique needs of students and families in their particular neighborhoods. This is a proven strategy which has been adopted in more than 5,000 schools to address the real-world problems that keep students from doing their best. The **Community Schools Resolution** is a way to begin the process at the state, local or school district level.

### Implement a student loan bill of rights

43 million Americans now owe more than \$1.3 trillion in student loans and, more and more, the lenders aren't playing fair. Some states and the District of Columbia have started to protect consumers with the passage of a **Student Loan Bill of Rights**. Our model bill is based on groundbreaking 2015 legislation enacted in Connecticut.



### Limit the abuse of standardized testing

In the more heavily tested grades, students in low-income schools routinely lose more than a month of instructional time because of standardized testing and test prep. Across the country, parents are rising up against this level of over-testing. States, localities and school boards should require a **report on alternative assessment models** to limit the educational and financial costs of over-testing. They should also limit the scope of standardized tests—**children younger than third grade should not be subjected** to them.

### Disclose what is spent on K-12 programs

With the rise of standardized testing, pre-packaged lessons and charter schools, there has been a noticeable decline in public awareness of how education funds are spent. School systems should **disclose what they pay** for tests, pre-tests and test preparation programs, as well as testing consultants and pre-packaged lessons. Similarly, states and school boards should insist that charter schools, especially for-profit management companies, are held to the same **transparency requirements** as traditional schools. Tax dollars should be invested in classrooms, not in padding corporate profits.



# Environment & Smart Growth

**OUR VALUES:** Security, safety, health, protection, responsibility, quality of life

**OUR VISION:** We have a responsibility to protect the quality of life, not just for ourselves, but for our children and grandchildren. To do that we need to both stop the degradation of our environment now and pursue policies that build a better future. These goals fit into three categories, laws that: (1) reduce the pollution of our air, water and land—including gases that accelerate climate change; (2) conserve energy and quickly develop clean and renewable sources of energy; and (3) pursue policies that build infrastructure to create environmentally friendly cities and towns for the future.

## Protect our air, water and soil

Pollution is waste material that adversely affects air, water or soil and governments have tried to control it for hundreds of years. Our major federal anti-pollution laws—the Clean Air Act, Clean Water Act, and National Environmental Policy Act—were passed in the early 1970s. In recent years, states and localities have gone beyond federal regulations to clean up emissions from power plants, require disclosure of the **chemicals used in fracking** or **ban fracking outright**, discourage or ban the use of single-use **plastic bags**, and encourage **recycling** of paper, metals, glass, paint, motor oil, pharmaceuticals and electronics. Minority and low-income communities bear a disproportionate share of the health risks caused by pollution and governments need to provide those communities **environmental justice**.

## Promote conservation and clean energy

With climate change legislation blocked in Congress, states and municipalities are leading the way to encourage energy conservation and promote clean energy. Conservation is accomplished by using more **energy-efficient devices**, improving insulation and **design of government buildings** (e.g., schools), and encouraging energy efficiency in both **commercial buildings** and **private homes**. Clean energy is promoted by using **solar** or **wind power** as much as possible on government and private properties, and by incentivizing local energy companies to employ or expand wind and solar power generation.

## Encourage smart growth

Smart growth is an urban planning strategy that concentrates development in compact **urban centers** to avoid sprawl. Smart growth produces a more efficient use of resources while preserving more of the natural environment. Smart growth policies include: making communities **pedestrian-friendly**, building bicycle lanes and **encouraging biking**, developing mass transit and **encouraging its use**, supporting mixed-use development with affordable housing set-asides, and maintaining greenbelts and wildlife corridors.



For direct hyperlinks to model bills, go to [www.progressiveagenda.org](http://www.progressiveagenda.org)

## FEATURED POLICIES FOR 2019

### Create local climate change action plans

Climate change will eventually impact every state and locality. Coastal areas will have to deal with rising sea levels. The South and East will see more devastating hurricanes. The Midwest and West will experience more tornadoes, drought and wildfires. Farming will be affected by higher temperatures. And areas susceptible to flooding will see catastrophic floods. Some of the effects of climate change can be predicted and some of its damage can be mitigated with planning. States and localities should create **commissions to study** the local effects of climate change and what policy changes could address them.

### Mandate environmental justice

Racial and ethnic minority populations and low-income communities bear a disproportionate share of the health risks caused by polluted air and contaminated water, and by solid waste landfills, hazardous waste facilities, waste water treatment plants, waste incinerators, and other similar facilities. This is largely the result of past governmental decisions. The **Environmental Justice Act** establishes a commission to investigate incidents of environmental racism and coordinate government efforts to ensure that minorities and low-income citizens are not disproportionately subjected to environmental hazards.



### Impose a fee or ban on plastics

Every year, millions of plastic shopping bags end up as litter and they can take centuries to decompose. These bags are among the most common types of litter on land and one of the most troublesome when they drift in rivers or seas. Thus, to discourage their use, dozens of cities and counties have imposed a 5 or 10 cent **disposable bag fee**, some of which target plastic bags while others apply to paper bags as well. California, Hawaii and many cities simply **ban “single-use” plastic bags**. Going further, California and several cities have also limited **single-use plastic straws**.

### Divest from fossil fuels

Maintaining the status quo of fossil fuel energy production will lead to a self-created catastrophe, threatening lives, livelihoods, and the very fabric of society. Every jurisdiction has the responsibility to do whatever it can to avert these disastrous results. One step is to **divest the jurisdiction’s retirement fund from fossil fuels**. Already, Ireland became the first country to fully divest from fossil fuels, New York became the first American state to enact a law to divest its retirement fund, and globally, about 1,000 institutions have divested more than \$6 trillion from fossil fuels.

# Government Performance

**OUR VALUES:** Opportunity, equal opportunity, justice, fairness, fair share, fair rules, level playing field

**OUR VISION:** State and local governments play a powerful role as rule-makers and enforcers, and as employers and contractors. A progressive government will: (1) ensure that workers for both the government and its contractors are paid wages and benefits that support a decent standard of living; (2) guarantee that economic development subsidies are used sparingly and only to create middle-class jobs; and (3) operate with transparency and the highest ethical standards.

## Make government a model employer

Most state and local governments encourage a “race to the bottom” system of hiring, meaning they pay their employees and the employees of government contractors as little as possible. But this makes no economic sense. Low-wage, low-benefit jobs don’t build the tax base, they drain it by forcing workers to rely upon taxpayer-funded programs, such as subsidized housing, health care, child care and school lunches. Public dollars should be spent to promote the public good. A progressive government accomplishes this by **avoiding the privatization** of government services unless there is a clear showing of substantial savings, paying a **living wage**, guaranteeing basic benefits like health insurance and **earned sick leave**, not accepting bids from **contractors with a history of fraud**, waste, abuse or illegal practices, and ensuring that contractors deliver what they’ve promised.

## Pursue progressive economic development

States and localities desperate for economic growth have typically allowed any company promising jobs to access economic development subsidies or other benefits, no matter how few or low-paying these jobs might be. All too often, development subsidies constitute little more than welfare for the rich. A progressive government reserves subsidies for development that fits a narrow and long-term strategy (e.g., a bio-tech cluster), requires the jobs to **pay middle-class wages and benefits**, and ensures that companies that receive subsidies and then fail to deliver on their promises **must refund** to the government some or all of the monies received.

## Provide open and ethical government

A democracy cannot function properly unless its citizens know what policies are being considered by the government, hear the arguments being made from all sides, and have the opportunity for timely input on these matters. Similarly, a democracy does not function when decisions are based on any type of corruption or **undue influence**. Even the appearance of secrecy or impropriety can poison the public goodwill that is necessary for self-government. A good government, therefore, will have a vigorous **open meetings** law, a broad **freedom of information act**, as much **online disclosure of public records** as possible, a ban on **pay-to-play donations**, strict **financial disclosure**, and tight restrictions on both direct and indirect **gifts to public officials**.



For direct hyperlinks to model bills, go to [www.progressiveagenda.org](http://www.progressiveagenda.org)

## FEATURED POLICIES FOR 2019

### Guarantee a living wage

Every state and locality awards contracts that indirectly support jobs. But all too often, the individuals employed to do government business are paid poverty level wages. So, instead of building a stronger community, such contracts increase the need for government services, such as public assistance for food, housing, health care, and child care. The **Living Wage Act** requires government contractors to provide their employees with reasonable wages and benefits.

### Offer a job piracy cease-fire

It is not unusual for states, cities or counties to use economic development subsidies to lure businesses from neighboring jurisdictions, and this can degenerate into tit-for-tat job piracy. These government-against-government disputes hurt taxpayers and are unnecessary. The state of Missouri **passed a law offering to stop subsidies** to Kansas businesses along the border if Kansas does the same. This is a terrific model that could be employed by any state or local government.



### End pay-to-play politics

Americans believe that government rules are rigged to benefit the rich and powerful, and that part of the problem is caused by our campaign finance system. One measure that would increase confidence in government is to outlaw “pay-to-play,” the practice of giving campaign contributions to gain access to elected officials and secure government contracts. The **Eliminate Pay-to-Play Practices Act** would prohibit campaign contributors from being eligible for such contracts.

### Restrict privatization

Since the Reagan era, state and local governments have been handing over a myriad of public functions to private corporations. The main argument for privatization is that it reduces costs. But this argument is rarely true, either because the contractor charges more than civil servants would cost or because the contractor pays such low wages that the employees and their families have to be supported by SNAP, Medicaid, Earned Income Tax Credits, and other programs. State and local governments should create a truly **competitive bid process** that does not assume outsourcing is always best.

# Health

**OUR VALUES:** Health, health security, safety, protection, quality of life

**OUR VISION:** Every American should be able to get the health care they need, when they need it, at a price they can afford. But for years, insurance companies charged too much, their policies were full of holes, and coverage was easily denied or revoked. The Affordable Care Act changed that, providing families with a new and greater measure of health security. Now that the ACA is under attack, there is much to be done: (1) guarantee coverage to every American as a matter of right; (2) encourage healthy behavior and protect others from unhealthy behaviors; and (3) allow people to make their own health care choices.

## Guarantee health care for all

Donald Trump has continued to weaken the Affordable Care Act (ACA). Each state and locality needs to protect the health care of as many residents as possible. One step, already employed by Maryland, is to **create a study commission** to recommend policies to help people become or remain insured, and to control costs. Those may include a **reinsurance program**, fair share **disclosure**, and a series of **measures** to **lower** prescription drug **prices**.



## Encourage healthy behavior

Preventable behaviors such as tobacco use, poor diet and physical inactivity, and alcohol or other drug use are the underlying cause of half of deaths in the United States. A progressive government encourages healthy behaviors while leaving ultimate decisions to the individual. The biggest preventable killer remains tobacco, which claims more than 480,000 victims every year. Jurisdictions can discourage smoking by raising the **tobacco tax**, implementing **workplace smoking and e-cigarette bans**, increasing the **minimum age to purchase tobacco**, and offering smoking cessation programs. States, localities and school boards can improve nutrition and physical fitness programs available in schools and also increase opportunities for athletics, walking and biking in communities. States and localities can **raise alcohol taxes**, crack down on sales to minors, and rethink whether their drug laws and enforcement systems are an efficient way to discourage the use of dangerous drugs.

## Let people make their own health care choices

Too often, people who are sick or dying are not given choices that should be theirs to make. If a doctor thinks that a patient with glaucoma, multiple sclerosis, nausea from chemotherapy or chronic pain would benefit from **medical marijuana**, the patient should have that choice. If patients would benefit from **palliative care**, they should be told. And if a terminally ill person wants to have some control over the time of his or her **own death**, that should be their decision, not the government's.

For direct hyperlinks to model bills, go to [www.progressiveagenda.org](http://www.progressiveagenda.org)

## FEATURED POLICIES FOR 2019

### Create a reinsurance program to lower costs

A few states have successfully stabilized health plan premium increases on their exchanges for individual plans by implementing a reinsurance program. Such a program, created by the **Healthcare Reinsurance Act**, pays catastrophic claims but requires a 1332 waiver from the federal government. Most recently, Maryland's waiver was approved in August 2018.

### Make prescription drugs more affordable

Americans are struggling to afford the prescription drugs they need, often having to choose between their medication and other necessities, like rent and groceries. States can respond by creating a **Prescription Drug Affordability Board**, an independent body with the authority to evaluate high cost drugs and set a reasonable upper payment limit that applies to all purchasers and payer reimbursements.



### Conduct an affordable care assessment

The Trump Administration continues to find ways to weaken the Affordable Care Act (ACA). If the Administration finally triggers a market collapse, it could cause nearly 30 million people to lose health care coverage. Each jurisdiction should protect as many residents as possible. States and localities can follow the state of Maryland by **creating a commission** to recommend policies that strengthen coverage and lower healthcare costs.

### Raise the age for tobacco sales

Smoking is the leading cause of preventable deaths in our nation, killing more than 480,000 Americans each year. More than 90 percent of smokers start as teenagers and, therefore, young people are heavily targeted for advertising by the tobacco industry. The **Protecting Young People from Tobacco Act** would raise the tobacco age to 21, cut the number of people who start smoking, and reduce deaths, disease and health care costs caused by tobacco use. Six states (CA, HI, MA, ME, NJ and OR) as well as at least 350 localities (including Boston, Chicago, Cleveland, Kansas City and New York City) have raised the age for tobacco sales from 18 to 21.



# Public Safety

**OUR VALUES:** Security, safety, protection, justice

**OUR VISION:** The most fundamental job of government is to protect its citizens from crime. Progressive government focuses on strategies that make us safer. Certainly, serious felonies deserve serious punishment. But there is a great deal that can be done to prevent crime while ensuring justice: (1) reform police procedures, including interrogations and use of force, that lead authorities toward the wrong suspects; (2) reform judicial procedures that hurt the innocent, thereby helping the guilty; (3) reform prison procedures that increase recidivism; and (4) reform criminal laws to prevent the commission of crimes.

## Reform police procedures

With the advent of DNA evidence, it has become clear that many innocent people have been prosecuted and imprisoned. Part of the problem is old-fashioned procedures—an overconfidence in unreliable eyewitnesses and an over-reliance on profiling. Progressive states and localities must adopt fairer and more accurate practices. The most common element in convictions overturned by DNA evidence has been eyewitness misidentification. This is why police need to reform procedures for **lineup identifications**. In addition, we should require **electronic recording of all interrogations**, **attach cameras to police cars and uniforms**, have clear rules against **racial profiling** and **military weaponry**, and limit the **use of force**.



## Reform judicial procedures

Tough court procedures don't necessarily make law-abiding citizens any safer, and can in fact have the opposite effect. A progressive government pursues **bail reform**, **sentencing reform** and **juvenile justice reform** to make it less likely that minor offenders turn into hardened criminals. Similarly, **expungement** of minor arrest or conviction records can also help prevent recidivism.

## Reform criminal sentence procedures

The U.S. prison population has exploded from about 300,000 prisoners in 1980 to about 1.5 million today. Another 750,000 are in local jails or juvenile detention. Twenty-seven states employ private prisons on the theory that they're cheaper, but there is no legitimate evidence to prove it. At the same time, private prisons seek healthier prisoners because they are less expensive to house, and shy away from providing education and training programs in order to maximize profits. **Prison privatization** should be banned, or, where that's not immediately possible, more strictly regulated.

## Enact smarter criminal laws

The 1980s and 1990s "War on Drugs" took much discretion away from judges and enormously increased the length of sentences. Yet, research proves that treatment, rather than incarceration, is the most effective tactic to fight drug abuse. Diverting **nonviolent drug offenders to treatment programs** reduces recidivism and saves money. Similarly, **mandatory minimum sentences should be relaxed** so that judges can deliver real justice based on the actual circumstances of each case. While these "get tough" measures have been ineffective, real danger has come from the nearly unchecked proliferation of guns. Every single day, dozens of Americans are murdered, hundreds are shot, and nearly one thousand are robbed or assaulted with a gun. It's just common sense to require a **background check** for all gun sales, preferably including **fingerprinting and safety training**, as well as to ban non-sporting equipment such as **multiburst triggers** and **3D printed guns**.

For direct hyperlinks to model bills, go to [www.progressiveagenda.org](http://www.progressiveagenda.org)

## FEATURED POLICIES FOR 2019

### Require electronic recording of interrogations

Every year, hundreds of innocent Americans are convicted of crimes because of false confessions. Thousands more are arrested because of false confessions and later the charges are dropped. There are many reasons why innocent people “confess,” ranging from exhaustion to mental illness. **Electronic recording of interrogations** helps to protect the innocent and convict the guilty. Ten states and many cities and counties now require electronic recording of interrogations. In fact, then-State Senator Barack Obama sponsored the first state law requiring electronic recording of interrogations in 2003.

### Ban stun cuffs

A stun cuff is a small box strapped to a prisoner (usually at the ankle) which, when police press a remote controlled trigger, emits a 50,000-volt shock that immobilizes the wearer. This device is good for little more than torture as prisoners can already be fully controlled with the use of handcuffs and leg irons. **Stun cuffs** should be banned.

### Demilitarize the police

More than 8,000 local police forces have received more than \$5 billion in military equipment from the federal government. Local police now routinely use automatic weapons and heavily armored military vehicles, flash-bang grenades and night-vision rifle scopes. State and local governments should curtail this militarization. Every official should find out if their law enforcement agencies own military equipment and if so, whether police really need it. Jurisdictions **should ban such weaponry or at least set up strict procedures** to ensure proper oversight for the acquisition and possession of military equipment.

### Raise the dollar threshold for felonies

Laws differentiate felony theft from misdemeanor theft based on the value of the property stolen. Due to inflation, over the years, less and less value is required to trigger a felony. In effect, defendants are treated more harshly over time. An unnecessarily low felony threshold strains prosecutorial, judicial and correctional resources. The **Felony Threshold Reform Act** eases the strain so more resources can be aimed at serious offenders.

### Reform the juvenile justice system

Our juvenile justice system should focus on diverting young offenders from future crimes, which makes all law-abiding residents safer. Yet, the systems in many states are based on old, discredited ideas. The **Juvenile Justice Reform Act** combines three urgent reforms. It restricts the use of pretrial confinement to young offenders who pose a real flight risk or danger to society. It limits the transfer of defendants from juvenile to adult courts. And it protects children in court proceedings by ensuring that they do not waive their constitutional right to counsel.



# Reproductive Rights

**OUR VALUES:** Freedom, liberty, privacy, dignity, respect, personal responsibility

**OUR VISION:** Decisions about contraception and abortion should be made by the individuals involved, not by politicians or the government. To make these decisions responsibly, people need access to: (1) complete and medically accurate information; (2) birth control; (3) constitutionally protected abortion services; and (4) protection from discrimination based on a person's decision to take contraception, give birth, or have an abortion.

## Provide medically accurate information

Americans deserve medically accurate information about reproductive health so they can make responsible decisions. But anti-abortion advocates rely on falsehoods. Abortion does *not* cause cancer. Emergency contraception does *not* cause an abortion. A person's ability to conceive does *not* shut down as the result of rape. States and cities should guarantee that everyone receives medically accurate information at **hospitals and health care centers**, and prevent **consumer fraud, misrepresentation** and **outright lies** from "crisis pregnancy centers." It's also important to provide **comprehensive sex education** to students, since they may not have access to accurate information anywhere else.

## Guarantee access to birth control

In recent years it has become clear that the anti-abortion agenda is as hostile to birth control as it is to abortion. But Americans overwhelmingly support access to birth control. States can and should guarantee **emergency contraceptives** to survivors of sexual assault, require pharmacies to **stock emergency contraception**, **prohibit health care workers from refusing** to issue or fill prescriptions for contraceptives, and provide greater access to **long-acting reversible contraceptives** (LARCs), like IUDs and implants.

## Guarantee access to abortion

The U.S. Constitution guarantees people the right to safe and legal abortion services without interference from politicians. And yet there has been an onslaught of political efforts to erase this constitutional right. States should **protect access to clinics** that provide abortion services, eliminate restrictions that violate **principles of informed consent**, guarantee there are no **double standards** that hinder abortion clinics, allow all **qualified providers** to perform abortions or prescribe the abortion pill, mandate equity in **abortion insurance coverage**, and **respect everyone's decision regarding abortion**.

## Prohibit discrimination based on reproductive choices

Whether someone carries a pregnancy to term, miscarries, or has an abortion, they should not be subject to any type of harassment or discrimination. Some people have lost their jobs for taking contraception or having an abortion, a form of **discrimination that was banned** most recently by the state of Delaware. Others have been denied reasonable accommodations from their employers and forced to leave their jobs because of pregnancy or childbirth, something which has been prohibited in several states and localities through adoption of the **Pregnant Workers Fairness Act**.



For direct hyperlinks to model bills, go to [www.progressiveagenda.org](http://www.progressiveagenda.org)

## FEATURED POLICIES FOR 2019

### Codify the right to abortion

There is no Supreme Court ruling that has been subjected to such a well-organized and well-funded attack as *Roe v. Wade*. If *Roe* is overturned, which could happen soon, state law controls the issue. And many states still have laws on the books that could automatically criminalize all abortions. Without access to safe, legal abortions, some people will die while others will be prosecuted. Several states have enacted laws to **codify the right to abortion**, and all others should do the same.

### Stop the harassment of individuals who have lost a pregnancy

Across the nation, law enforcement authorities are investigating and prosecuting individuals who have lost a pregnancy. While state “fetal homicide” laws were generally enacted to prosecute someone who commits a crime against a pregnant person, they are now being used to punish some who have suffered a pregnancy loss, based on the idea that they might have intentionally or negligently caused it. The **Pregnant Women’s Dignity Act** ends such investigations and prosecutions.

### Prevent anti-abortion violence and harassment

Clinics that offer reproductive health are continually subjected to violence, threats of violence, and harassment. There have been 37 murders or attempted murders due to anti-abortion violence over the past four decades, as well as hundreds of bombings and arson attacks. Abortion providers, clinic workers and patients are, quite reasonably, afraid for their personal safety. That’s why states and localities should pass laws to **protect abortion clinics**.



### Increase the number of abortion providers

Both aspiration abortions and the abortion pill are extremely safe and simple. Aspiration abortion is one of the safest medical procedures in the nation while medication abortion is safer than Tylenol, aspirin or Viagra. The American College of Obstetricians and Gynecologists (ACOG) recommends allowing advanced practice clinicians (APCs)—nurse practitioners, certified nurse-midwives and physician assistants—to perform **aspiration abortions** and supervise **medication abortions**. States should permit both.

### Keep bosses out of the bedroom

Employees should be judged by their performance at work, without regard to their private healthcare choices. Yet, in recent years there have been a number of bosses retaliating against employees for having a child or an abortion, or even for using contraception. The **Keep Bosses Out of the Bedroom Act** would guarantee that employers cannot take an adverse action against an employee based on the employee’s reproductive health decisions.

# Social Services

**OUR VALUES:** Security, safety, protection, quality of life, responsibility

**OUR VISION:** As a society, we have a responsibility to protect people in our communities who are vulnerable and can't meet basic needs on their own. Whether they are children, the elderly, disabled, or victims of illness, crime, natural disaster or something else, we cannot deny our fellow citizens the basic necessities of life. Three policies are crucial: (1) expand basic services to cover all the vulnerable people who need them; (2) stop the war on drug users that has cut them off from assistance; and (3) help charities that provide important social services, including food, housing, clothing, job training and legal representation.

## Serve the marginalized

State and local governments fund and deliver many of our most important social services—feeding the hungry, housing the homeless, providing health care to the uninsured, caring for the elderly, helping the unemployed find jobs, and much more. But these services were drastically cut after the Great Recession and even as the economy strengthened, funding remained weak. Yet, we as a society have an obligation to serve people who are marginalized and, as a result, have less access to safety nets and services. In fact, our communities will be much better off when we ensure that every child is provided high-quality **early childhood care**, good nutrition, **health insurance**, **recreational opportunities**, **afterschool and summertime** programs—the basic services they need to have a fair chance to succeed in life. We also need to prepare our communities to accommodate and serve an increasingly **aging population**.

## Stop the war on drug users

About 24 million Americans have used illegal drugs, yet only a small percentage are punished for it. Those who are prosecuted are disproportionately people of color and tend to be treated harshly. Some 300,000 people are currently imprisoned for drug crimes, at great expense to taxpayers. There's also been a trend toward drug testing of those who seek social services like SNAP and TANF. And it's particularly **unreasonable to test for marijuana** since its use is now legal in most states. It's time to **stop the war on the victims of drug addiction** and replace it with policies that are more likely to protect public health and safety.

## Support nongovernmental programs

There are nearly one million charities in the U.S. and they provide a very large portion of the social services received by low-income Americans. Human services nonprofits hold about 200,000 government contracts totaling about \$100 billion. Most of these charities were hit hard by the Great Recession and are still struggling. And yet, donors keep wanting nonprofits to “do more with less.” Governments need to **increase the amount spent** on grants and contracts, pay contracts on time, and help nonprofits **navigate through administrative requirements**.



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## FEATURED POLICIES FOR 2019

### Help nonprofits interact with government

Governments now rely on nonprofit organizations to provide a great deal of social services, from food, health care and housing to criminal justice supports, consumer advocacy, and assistance in public education. State and local governments need to increase funding to nonprofits that have a record of success. But in addition to that, because charities want to focus on serving those in need rather than on paperwork, governments should create agencies or ombudsmen that focus on making nonprofits' **interactions with government easier**, e.g., simpler RFPs, easier reporting, and streamlined licensing systems. They should also find other ways to assist charities, such as allowing them to use government purchasing procedures to get discounts, making empty government office space available for little or no cost, and other in-kind contributions that would only marginally burden government agencies.

### Require disclosure of freeloading employers

More than 60 percent of enrollees in Medicaid and CHIP belong to working families. This means the worker's employer is being indirectly subsidized, which burdens the state treasury and puts responsible employers at a competitive disadvantage. The **Fair Share Employer Disclosure Act** directs the state to list the 50 companies with the highest number of employees who receive state health and welfare benefits in order to promote a clearer understanding of the problem.



### Prepare for an aging population

According to the U.S. Census Bureau, more than 20 percent of the nation's population will be age 65 or older by 2030. This will impact every aspect of state and local policy, from labor, housing and health care to transportation, education and social services. To address the growing and changing demand for government services, we must do more to anticipate the future. The **Prepare for an Aging Population Act** would establish a task force to study the state's or locality's aging population and recommend a plan that would provide needed services and support in the near- and long-term.

### Provide prenatal nursing care

Prenatal care has a tremendous impact on a child's wellbeing and potential in life. Babies born with fetal alcohol syndrome or low birth weight, for example, may be permanently disadvantaged. That's why it's so important to provide vigorous prenatal care to women who live in poverty. **Colorado's Prenatal Plus**, which is a part of the state's Medicaid program, provides nurse-midwives to support and educate expectant mothers, case managers to provide referrals for financial help, parenting classes, medical benefits and housing information, and dietitians to help with weight gain goals and nutrition during pregnancy and breastfeeding. Studies show that Prenatal Plus makes a substantial difference.

# Taxation

**OUR VALUES:** Fairness, fair share, justice, equal opportunity, level playing field

**OUR VISION:** On the federal, state and local levels, our tax policies must be fair to everyone. The fact is, our tax system is thoroughly unfair; it is rigged with loopholes and giveaways that benefit only a few, usually rich individuals and big corporations, at the expense of all the rest of us. Everyone should pay their fair share, and to accomplish that, we must: (1) require disclosure of tax giveaways; (2) eliminate those giveaways that unfairly benefit the rich and powerful; (3) raise tax rates on the rich; and (4) cut taxes for people who cannot reasonably afford to pay them.

## Require disclosure of tax giveaways

Americans believe, by overwhelming margins, that our tax system is unfair and that rich individuals and large corporations are not paying their fair share. In order to fix the system, we need publicly available information. Governments should **list all tax expenditures** and require that each must **sunset unless regularly renewed**. In addition, topline information from the tax returns of large companies should be **publicly disclosed**. Individuals and big corporations are getting wealthier while simultaneously paying less in taxes. To address the problem, we need to know that they're doing it and how they're doing it.

## Eliminate unfair tax giveaways

Almost every government's tax code is riddled with giveaways for the rich and powerful, many of which constitute little more than legalized tax evasion. Citizens want to make these systems fairer. This requires information, analysis, and the political will to put average taxpayers first. State and local governments should **hire more auditors, investigators and attorneys** to collect from big corporate scofflaws and empower **whistleblowers** to challenge tax giveaways.

## Raise rates on the rich

Except for the federal income tax, nearly every other type of tax, especially on the state and local levels, is regressive. So nearly every tax could be adjusted to make it fairer to middle class and working families. For example, states with income taxes should make their **brackets more progressive** and add a **surtax on extra-high incomes**. States should also raise **inheritance taxes** on the very richest estates.

## Cut taxes on those who can't afford them

Just as some high-income individuals and businesses are paying too little in taxes, there are some low-income people who are paying too much. States should raise the **Earned Income Tax Credit** and the **dependent care tax credit**. States and localities should ensure that there is a **property tax circuit breaker** and a **tax deferral system** that prevents low- and moderate-income Americans from losing their homes.



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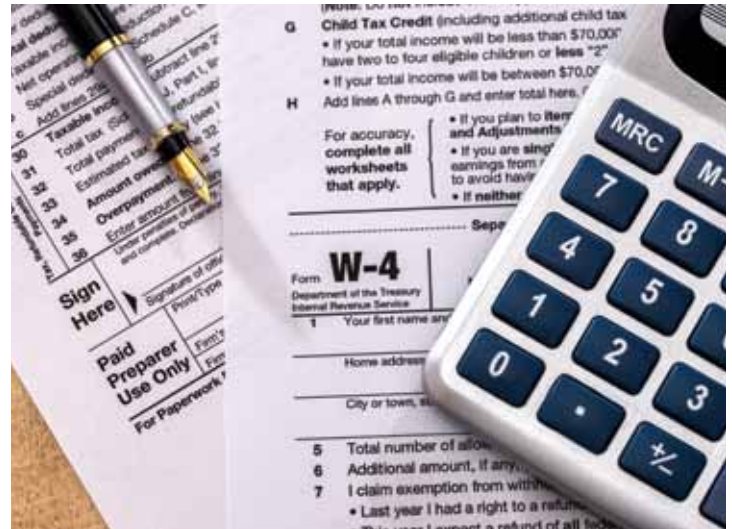
## FEATURED POLICIES FOR 2019

### Disclose corporate taxes

Americans believe that large corporations are not paying their fair share of taxes, and they're right. The first step to fix our broken system is transparency. We don't know enough details about how corporations manage to evade taxes. We need **public disclosure**. To be specific, all publicly traded companies should disclose a summary of the amount they pay in state income taxes, including their tax rate and basis (income, credits and deductions). It is true that we don't and shouldn't require such disclosure of individuals, but corporations are not people. Corporations are legal structures, created by state law, and they do not need or deserve the exact same privacy rights as individuals.

### Sunset tax expenditures

A "tax expenditure" is a form of stealth government spending. Giving exemptions, deductions or credits to certain groups or for certain activities has the same effect as handing them money, and governments divert billions of dollars this way. Tax expenditures never receive the same scrutiny that budget expenditures do. While budget line items are reviewed and adjusted every year, few governments have any mechanism for reviewing tax expenditures. The fact is, many tax expenditures are unjustified giveaways to the rich, many were not properly targeted to achieve their stated objective, and others were justified when enacted but no longer make economic sense. Thus, each tax exemption, deduction and credit should be examined periodically to weigh its costs, benefits and relevance to community goals. The only effective way to bring fairness to the tax expenditure system is to require each to undergo a thorough review and be re-approved through the legislative process. This is accomplished by requiring that all **tax expenditures "sunset"** every few years.



### Create or raise the earned income tax credit

The federal Earned Income Tax Credit (EITC), created in 1975, is the most effective anti-poverty measure in America, lifting more working families out of poverty than any other government program. It directly puts extra dollars in the pockets of people who need it the most: those who work for poverty-level wages. Twenty-six states and the District of Columbia have adopted their own EITCs. States can create or raise EITCs with the **Earned Income Tax Credit Act**.

### Make tax collection fairer

Americans believe many wealthy individuals and corporations evade taxes, and they're right. One study indicated that people who make between \$500,000 and \$1 million per year underreport their incomes by more than 20 percent. That means states and localities lose billions of dollars each year to tax evasion. The fact is, most government tax collection agencies don't have enough auditors and enforcers to get the job done. The solution is to **hire more tax enforcers** and give them **greater enforcement powers**. Their work will pay for itself.

# Voting & Elections

**OUR VALUES:** Freedom, liberty, fundamental rights, basic rights, democracy

**OUR VISION:** In America, the right to vote is a fundamental freedom. And because we are the leading democracy in the world, our election system ought to be completely free, fair and accessible. The way we conduct elections today is obsolete. We need to eliminate long lines, cut costs, make it more convenient for eligible citizens to vote, maintain the integrity of the voting system, and stop the rich and powerful from exercising undue influence on the process. In short, we must: (1) guarantee that every citizen can register to vote; (2) ensure that all citizens can cast their ballots; and (3) crack down on the way campaign financing corrupts public policy.

## Ensure that every citizen can register

In a democracy, every citizen ought to vote and the first step is universal registration. A progressive system **registers voters automatically**, for example, when anyone who is eligible to vote gets a driver's license or receives a public service. Registration should also be offered at polling places on **Election Day**, at state and local **government offices**, and **online through the Internet**. And **no one outside of prison should be disenfranchised** because of a criminal conviction.



## Ensure that every citizen can vote

There should be no barriers to prevent eligible citizens from voting. Governments should permit both **early voting** and no-excuse-needed **absentee ballots**, and ensure that workers can get **time off to vote**. Election materials should be available in **other languages** where needed. **Voting machines** should be absolutely reliable, counting every vote. Governments should crack down on any **voter intimidation** or use of fraud for **voter suppression**. Americans should have the freedom to vote made clear in state constitutions. And to ensure that every vote counts equally in presidential elections, states should adopt the **National Popular Vote**.

## Reform campaign financing

Money has an outsized influence on our current electoral system, endangering our representative democracy. Poll after poll shows that voters think the political system is controlled by big companies, political action committees, and rich individuals. Because of the Supreme Court's *Citizens United* ruling and the activism of right-wing billionaires, the amount of money pouring into political campaigns through independent expenditures has grown exponentially. The growing cost associated with running for office makes campaigns prohibitively expensive for most Americans, thus restricting the freedom to run for office to a small minority of the population. In addition, with the rising cost of running for office, candidates need to spend more time fundraising, which restricts their ability to meet with and listen to their constituents. The system is broken and the only real solution is public financing of election campaigns. **New York City's law**, for example, requires participating candidates to limit campaign spending; in exchange, a public fund will match small donations. **Connecticut** provides a good public financing model as well.

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## FEATURED POLICIES FOR 2019

### Update our voting systems

Recent elections have exposed serious flaws in our nation's voting systems. Too many Americans have cast ballots that went uncounted or were turned away or discouraged from voting because of faulty systems. At the same time, foreign governments and other entities hostile to America have attacked our voting systems, including cyber attacks on state voter registration rolls. And experts say that many or most voting machines could be attacked. The **Voting Systems Reform Act** ensures that every jurisdiction uses modern, accurate and auditable technology.

### Promote voter registration to new residents

Whenever people move, they should register to vote or update their preexisting voter registration. That's why Seattle enacted a simple ordinance in 2017 that requires landlords to provide information on voter registration and a registration form to new tenants. This can and should be replicated on the state and local levels. The **Register New Residents Act** goes a step further and also requires sellers to provide the same information to home buyers at settlement.



### Protect voters from intimidation

Too many Americans are prevented from exercising their right to vote because of voter intimidation or suppression, or mistakes by election officials. Although voter intimidation is illegal under the federal Voting Rights Act, most violators are never punished. In addition, federal law does not prohibit willfully fraudulent voter suppression tactics and it does nothing to prevent or address mistakes. States can adopt a **Voter Protection Act**, which employs three avenues to ensure that every eligible voter can vote: First, impose heavy penalties for both voter intimidation and fraudulent suppression. Second, require every polling place to post a Voter's Bill of Rights (as some states do). Third, reduce mistakes by creating an Election Day Manual of Procedures that sets out election rules, and make it available to both voters and officials at the polls.

### Require polling places at large colleges

Many state and local officials have been closing polling places located on college campuses in order to suppress student voting. Under federal law, students have the right to vote in their college town if they consider it their primary residence. So, instead, we should **require on-campus polling places** wherever there are large numbers of students, as Illinois has done.

# Wages & Benefits

**OUR VALUES:** Opportunity, equal opportunity, fairness, fair share, justice, level playing field

**OUR VISION:** Our economic system is unfair because the rules are rigged to favor the rich and powerful over the middle class and working families. We need to ensure that lower-level jobs provide at least a living wage and that middle-class jobs support a middle-class standard of living. Four policies are fundamental, laws that: (1) set a floor on wages for different types of work; (2) guarantee a minimum set of job benefits; (3) ensure that hiring and retention processes are fair; and (4) protect the right to collective bargaining in order to secure for workers a fair share of the profits.

## Mandate fair wages

Between the end of World War II and the beginning of the Reagan Administration, the wages of average American workers rose at the same rate as nationwide productivity. But since then, wages have stagnated and nearly all new wealth has been captured by the rich. Recently, over a dozen states and localities have responded by **raising the minimum wage**. Seven states have the same **minimum wage for tipped workers** as everyone else, which is a matter of simple justice. State and local jurisdictions have also implemented a **living wage** for government employees and contractors. Although it's not yet been attempted, it is entirely possible to dissuade employers from paying a poverty-level wage through a **surtax on large businesses** like Walmart that pay workers so little that they have to rely on public-assistance programs.

## Mandate fair benefits

American workers used to take for granted that their jobs would include fair benefits like health insurance, sick days and paid vacation. Today, progressives have to fight for every benefit. Recently, states and cities have mandated **paid sick leave**, while others have set up **family leave** systems or required **overtime pay**. California also created a program that helps workers set up **retirement accounts**.

## Require fair rules for hiring and retention

Because of the unsteady economy and the lack of union representation, employers are using more and more arbitrary and unfair tactics against both job applicants and existing employees. Some employers have demanded that job applicants or employees give them their **social network user-names and passwords**, or “friend” the employer, or submit to **credit checks**, or disclose arrest or **criminal histories** when those are irrelevant to the job, and progressive governments have stepped in to stop these practices.

## Support collective bargaining

Although public policy can require a series of minimum wages and benefits, that is no substitute for collective bargaining. Only labor unions can insist that workers receive a fair share of a company's profits that their hard work creates. While this is mostly a federal issue, states and localities can ensure that **their own employees have the right to bargain collectively**, expand collective bargaining rights for specific types of jobs, and **prohibit public funds from being used to influence** union organizing.

For direct hyperlinks to model bills, go to [www.progressiveagenda.org](http://www.progressiveagenda.org)

## FEATURED POLICIES FOR 2019

### Restrict non-compete clauses

It is not unusual for employers to require a non-compete clause in employment contracts when the worker is highly paid and develops highly specialized, marketable knowledge through his or her job. But in recent years, employers in service industries have begun to impose non-compete clauses on low-wage, low-skill employees, such as fast food workers. This is unreasonable and makes it easier for such employers to exploit their workers. The **Protection Against Unfair Non-Compete Clauses Act** makes it illegal to insert a non-compete clause into the contract of a lower-wage worker.

### Restrict non-disclosure clauses

Nondisclosure agreements are very common in business and it is widely accepted that such agreements are appropriate for a business to maintain its trade secrets. However, it has become fairly common for businesses to broaden nondisclosure clauses to cover more than trade secrets, including forbidding employees from making any critical comments that could harm the company's or the company executives' business reputation. Employment contracts should be explicitly **prohibited from including nondisclosure for sexual harassment**.



### Prohibit questions of salary history

The practice of an employer asking a prospective employee for his or her salary history tends to perpetuate gaps in pay that disproportionately impact women and people of color. There is no need for employers to know a prospective employee's salary history in order to negotiate a fair wage; in fact, fairness depends on the job and the skills that the employee brings to the position, and not at all on salary history. The **Salary History Anti-Discrimination Act** prohibits such questions.

### Ban credit checks by employers

Nearly half of employers now require job applicants to consent to a credit check and sometimes current employees are asked to do the same. And yet, credit checks are not designed as an employment screening tool and there is no research that suggests people with poor credit reports become poor employees. In fact, bad credit scores may be due to injury or illness, the Great Recession, identity theft, or simple reporting mistakes. That's why several states and cities have **enacted laws to forbid employers from conducting credit checks** on workers or job applicants.



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