



2022

Progressive Agenda

FOR STATES
& LOCALITIES

**PUBLIC
LEADERSHIP**
INSTITUTE

2022 PROGRESSIVE AGENDA FOR STATES & LOCALITIES

Table of Contents

3	Letter from our President
4	Civil Rights & Liberties
6	Consumer Protection
8	Education
10	Environment & Smart Growth
12	Government Performance
14	Health
16	Public Safety
18	Reproductive Rights
20	Social Services
22	Taxation
24	Voting & Elections
26	Wages & Benefits

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.

Public Leadership Institute

1415 Elliot Place, NW
Washington, DC 20007
Phone: 202-454-6200

www.publicleadershipinstitute.org
leadership@publicleadershipinstitute.org





January 2022

Dear Friends:

The political institutions of our democracy are under attack. It's not just that right wingers are knocking down long-accepted public policies, like basic abortion rights and modest gun restrictions. They are lying about election results and working to subvert the American system of government.

As always, state and local lawmakers are at the front lines of the struggle to save America. We can do it, and we must.

That's why we offer you this ninth annual edition of our *Progressive Agenda for States and Localities*. Americans want change and this booklet suggests policies across many issue areas. It also hyperlinks to more than 200 model bills available on the Public Leadership Institute's website. Some bills, for bluer jurisdictions, are politically ambitious. Others are designed to attract support from moderates and conservatives.

Because you need more than just policy to deal with Americans' crisis of confidence, the Public Leadership Institute also offers a variety of resources to develop the capacity of public leaders at the state and local levels. Importantly, we publish a messaging guide, *Voicing Our Values*, and an advocacy handbook, *Preparing to Win*, available both in print and online. We promote these policy, messaging and advocacy resources with workshops, webinars, podcasts and on-site trainings in states and localities across the nation.

This year, more than ever, you are irreplaceable. You are democracy's frontline. State and local officials are closer to the constituents than federal officeholders. Unlike many at the federal level, you don't live in a political bubble; you interact with average residents every day. And you feel their pain.

It's a hard time to lead. But you can do it and we would be honored to help you any way we can.

Email or call us. Ask for copies of our policy, messaging and advocacy books. Invite us to your city or state to help organize. We're in this together.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Gloria Totten', with a stylized flourish at the end.

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 all people are created equal. That ideal calls us to defend liberty and justice for everyone, 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 places of power, so some jurisdictions implement **affirmative action in government** and the **private sector**, 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 our gay and lesbian neighbors.



Ensure fairness for immigrants

More than 45 million American residents are foreign-born. More than 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, protecting **immigrants** from **harassment**, 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

FEATURED POLICIES FOR 2022

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](#).

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. They can and should [expand the types of discrimination forbidden to government contractors](#), adding factors such as gender, marital status, sexual orientation, and gender identity or expression.



Require racial impact statements

States and localities routinely consider the fiscal impact, and often other impacts, of proposed legislation. The [Racial Impact Statements Act](#) creates a procedure for lawmakers to consider the impacts of proposed legislation on minority racial and ethnic communities. Nine states have developed methods to evaluate the potential impact of legislation on minority populations and similar procedures would be appropriate in cities and counties as well.

Mandate diverse corporate representation

Corporations are created and regulated by states. In exchange for a legal framework that limits liability and taxation, states require corporations to comply with rules that benefit the greater economy and the broader society. That's why the [Corporate Diverse Representation Act](#) is warranted. It requires publicly held companies with their principal executive office in the state to have both female representation and representation from a racial, ethnic or LGBT minority.



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 [monopolistic, unfair or fraudulent practices](#). Recently, there has been a particular urgency to regulate financial services by limiting predatory mortgage lending and [pay-day 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



FEATURED POLICIES FOR 2022

Protect against unlawful evictions

An illegal eviction is when a landlord uses force to evict a renter instead of following the eviction laws of that jurisdiction. Unfortunately, many landlords have lost patience and conducted a stunning number of illegal evictions over the past year. The [Protection Against Unlawful Evictions Act](#) creates an expedited timeline for courts to hear and remedy cases of illegal eviction.

Guarantee the right to repair

The marketers of electronic products often make it impractical for consumers to take these products to local repair shops. By requiring manufacturers to make information available to owners and independent repair providers, the [Digital Right to Repair Act](#) ensures that, on fair and reasonable terms, owners are able to get the documentation, parts and tools needed to fix and maintain such equipment.



Modernize small claims court jurisdiction

Most states limit the jurisdiction of small claims courts to complaints involving less than \$10,000. In today's economy, that's just too low to be a substantial benefit to average Americans. The [Small Claims Court Modernization Act](#) increases jurisdiction to cases involving up to \$25,000. This statute also encourages mediation to settle cases as fairly as possible.

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.

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. 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; each and 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 each 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 afterschool 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



FEATURED POLICIES FOR 2022

Defend honesty in public education

In dozens of states, conservatives have enacted or are attempting to enact legislation requiring public school teachers to lie or withhold the truth in history and social studies classes about racism, sexism and heterosexism. These attacks routinely fail to identify a single lesson that is inaccurate. The [Honesty in Public Education Act](#) prohibits local school systems from adopting rules that require teachers to lie to their students.

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.



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 are held to the same [transparency requirements](#) as traditional schools. Tax dollars should be invested in classrooms, not in padding corporate profits.

Empower educators to address cyberbullying

Cyberbullying—bullying that takes place over digital devices like cellphones, tablets and computers—has become all too common. And unlike a bully using his or her voice, this type of attack can be very widely shared and it creates a kind of permanent record of abuse. The [Cyberbullying Prevention and Education Act](#) requires professional development for school staff to help them identify and respond to cyberbullying of their students.



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 **address climate change**, clean up emissions from power plants, require disclosure of the **chemicals used in fracking or ban fracking outright**, **prohibit PFAS chemicals**, discourage or ban the use of single-use **plastic bags** and **foam food containers**, 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 largely blocked in Congress, states and municipalities have been 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



FEATURED POLICIES FOR 2022

Demonstrate leadership on climate change

The earth's atmosphere is warming at the fastest rate in recorded history. Around the world, humans are threatened by rising seas, intense storms, and episodes of both flooding and drought. There is no issue more urgent. The [Greenhouse Gas Reduction Act](#) commits the state to achieving 100 percent clean energy by 2045 and empowers agencies to create plans that accomplish this goal.

Create local climate 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.



Protect the environment from forever chemicals

A family of chemicals known as PFAS, often called “forever chemicals” because they don’t break down in the environment, are used in many household products and have been linked to cancers. The [Protections from Forever Chemicals Act](#), based on newly-enacted California legislation, would ban their use in children’s products and disposable food packaging.

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, wastewater 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.



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, **intimidation** 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



FEATURED POLICIES FOR 2022

Stop threats against public officials

In recent years, there has been a steep increase in the number and severity of threats against public officials, from state and local elected officials to salaried government workers and official volunteers. Many of these threats are designed to influence government decisions, such as the counting of votes or the implementation of health restrictions. The [Stop Intimidation of Public Officials Act](#) makes it a felony to threaten any public official in an attempt to influence that official's vote, decision or other official action.

Raise standards for firms receiving government support

Economic development subsidies, by definition, give special preference to one business over others. So when such subsidies are granted, they should meet a high standard for creating quality jobs that will provide long-term benefits to the community. The [Job Creation and Job Quality Standards Act](#) lays out minimum requirements for any kind of subsidy program. The [Taxpayer Protection Act](#) provides citizens with a money-back guarantee if a company, after receiving subsidies, fails to meet its promised economic development goals.



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.

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.



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. There remains 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

The Supreme Court and the Trump Administration weakened the Affordable Care Act (ACA), which made it necessary for each state and locality to expand health care. 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 an [easy enrollment system](#), [reinsurance program](#), fair share [disclosure](#), [health enterprise zones](#), 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 the 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



FEATURED POLICIES FOR 2022

Protect residents from COVID-19

COVID-19 has killed more than three-quarters of a million Americans and more than five million people worldwide. The disease remains a public health emergency and governments have the obligation to protect their residents. The [Protection from COVID-19 Act](#) urges everyone to become vaccinated, directs health agencies to ensure that vaccine is accessible to all, and requires both elected officials and government employees to be vaccinated, with only narrowly-drawn exceptions.

Create a program for easy health care enrollment

In an average state, at least tens of thousands of residents qualify for free or reduced-cost health coverage but are not currently enrolled. Where there is a state income tax, residents can be automatically enrolled in health programs based on the income they report. Maryland has led the way with such an [“easy enrollment” program](#).



Create health enterprise zones

Health disparities exist in urban, suburban, and rural communities, and communities where significant health disparities exist also often face shortages in the primary health care workforce, including nurses. The [Health Enterprise Zones Act](#) enables localities and nonprofits to propose plans for underserved geographic areas where health care practitioners may receive incentives to improve access to and quality of health care.

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.



Public Safety

OUR VALUES: Security, safety, protection, justice

OUR VISION: The most fundamental job of government is to protect its citizens from crime. A progressive government focuses on strategies that make us safer, and serious felonies require 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 **deceptive tactics** and 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. Thirty-one 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 assault weapons, **multiburst triggers** and **3D printed guns**.

For direct hyperlinks to model bills, go to www.progressiveagenda.org



FEATURED POLICIES FOR 2022

Control police use of force

The deaths of George Floyd and many others have made it clear that, in a lot of jurisdictions, police use of force is out of control. In response, many states have addressed the crisis of excessive force. The [Police Use of Force Act](#) limits law enforcement officers, requiring them to use no more force than necessary and proportionate for legitimate police purposes.

Deter the malicious reporting of false crimes

There's been a sharp increase in false 911 calls which are intended to harass or intimidate a targeted individual. While false reporting is a crime, it often goes unprosecuted. The [Malicious False Reporting Relief Act](#) makes it more practical for people to bring a civil action against someone who falsely calls the police on them.



Prohibit deceptive tactics by police

It is not unusual for police to try to trick people into a confession by claiming they know something they don't. The [Police Deception Prohibition Act](#) prevents police from tricking juveniles into confessions because minors are about three times more likely than adults to confess falsely.

Prohibit no-knock search warrants

In an effort to emphasize toughness on crime and drugs, the Nixon Administration encouraged the use of no-knock search warrants, and the Reagan Administration greatly increased their use. There are now about 60-70,000 such raids per year, mostly looking for marijuana. This is a dangerous policy, especially when so many civilians own guns and "stand your ground" laws encourage their use. The [No-Knock Search Warrant Prohibition Act](#), inspired by the fatal shooting of Breonna Taylor, will save innocent lives.

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 high 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.

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

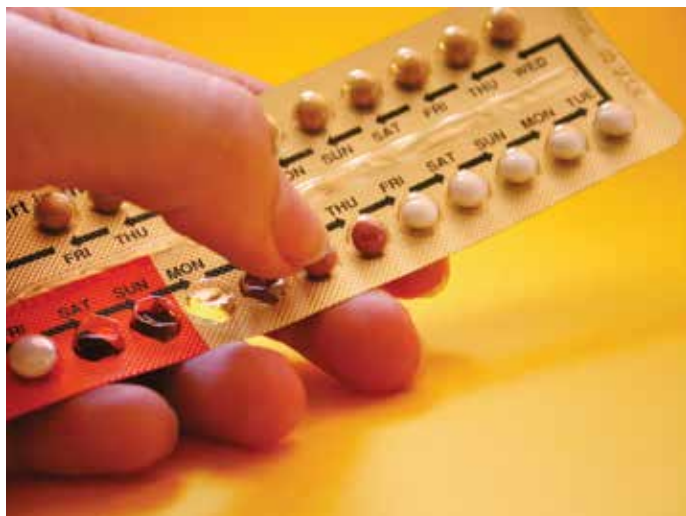
In recent years it has become clear that the anti-abortion agenda is as hostile to birth control as it is to abortion. But Americans overwhelmingly support access to birth control. States can and should guarantee [emergency contraceptives](#) to survivors of sexual assault, require pharmacies to [stock 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 right to safe and legal abortion services is under attack in both courts and state legislatures. Now more than ever, states must [codify the right to abortion](#), [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

FEATURED POLICIES FOR 2022

Preserve the right to abortion

Most Americans support the right to abortion under *Roe v. Wade*. If the Supreme Court overturns or greatly diminishes *Roe*, state law will control the issue. Without access to safe, legal abortions, some women will die while others will be unjustly prosecuted. Several states have enacted laws to [codify the right to abortion](#), and all others should do the same.

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.

Encourage the use of long-acting reversible contraceptives (LARCs)

The Colorado Department of Public Health and Environment reported that the state's teen birth rate was nearly cut in half during the first five years of its Family Planning Initiative, which increases access to long-acting reversible contraceptives (IUDs and implants). Both the birth rate and abortion rate for women ages 15-19 fell 48 percent from 2009 through 2014. LARCs are 20 times more effective in preventing pregnancy than the pill, contraceptive patch, or vaginal ring, yet only a small percentage of women use LARCs. Every state and city should adopt [policies to increase access to LARCs](#).



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.

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 survivors 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. More than 400,000 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](#).



For direct hyperlinks to model bills, go to www.progressiveagenda.org

FEATURED POLICIES FOR 2022

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 work on making nonprofits' [interactions with government easier](#), e.g., simpler RFPs, easier reporting, and streamlined licensing systems.

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.

Build capacity for social services

States and localities tend to run social services at the lowest levels possible, citing budget limitations. But this is based on a myopic view of costs and benefits. The [Social Services Review Act](#) would launch a thoughtful assessment of current social services provided by governments and nonprofits, including the long-term costs of inaction, and make recommendations for how programs in physical and mental health, child and elder care, housing and nutrition can be improved for vulnerable populations.



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.

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.



For direct hyperlinks to model bills, go to www.progressiveagenda.org

FEATURED POLICIES FOR 2022

Crack down on tax evasion by the rich

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.

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.



Disclose corporate taxes

It is widely understood that large corporations are not paying their fair share of taxes. The first step to fix our broken system is [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.

Raise the estate tax

Over the past several years, progressives have been completely outmaneuvered on the estate tax. Many believe the federal estate tax applies to them, even though 99.8 percent of Americans are exempt. Nevertheless, the richest one percent in America own over one-third of all the combined wealth in our country—stocks, bonds, businesses, real estate, and personal property like cars and jewelry. The richest five percent own nearly two-thirds of all wealth. We cannot make a dent in the problem of economic inequality without a vigorous [estate tax](#) and the effort will never have momentum until states lead the way.

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 **vote by mail**, **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.

For direct hyperlinks to model bills, go to www.progressiveagenda.org



FEATURED POLICIES FOR 2022

Safeguard the integrity of our democracy

In 2020, right-wing extremists tried to destroy our democratic system by having election officials lie about election results. Those extremists are now actively preparing to reject truthful vote counts in 2022 and 2024. The [Safeguard Fair Elections Act](#) blocks efforts to subvert democracy by disqualifying any public official who refuses, without legitimate evidence, to certify the actual vote counts or results of an election.

Allow everyone to vote by mail

The 2020 election proved that voting by mail is very popular and makes the ballot box more accessible. The [Vote by Mail Act](#) requires that all registered voters be mailed a ballot and that they can vote by returning that ballot by mail, by voting at an early voting center, or by voting at a polling place on Election Day.



Protect voters from intimidation

Too many Americans are prevented from exercising their right to vote because of voter intimidation or suppression. 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, create an Election Day Manual of Procedures that sets out election rules, and make it available to both voters and officials at the polls.

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 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.

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, numerous 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 usernames and passwords](#), or “friend” the employer, or submit to [credit checks](#), [nondisclosure agreements](#) or [non-compete clauses](#), 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



FEATURED POLICIES FOR 2022

Raise the minimum wage

Americans overwhelmingly support an increase in the minimum wage, even when that minimum has been increased in prior years. This is because average Americans understand that the current minimum wage is too low to keep families out of poverty. They also understand that, when workers are paid a very low wage, taxpayers make up the difference in social programs like Medicaid and CHIP. The [Fair Minimum Wage Act](#) would raise the minimum wage, adjust it annually for inflation, and apply it equally to tipped employees. Localities that lack the power to affect the minimum wage can still enact a [Living Wage Act](#) to ensure that government contractors provide their employees with appropriate wages and benefits.

Crack down on wage theft

Wage theft is an epidemic among low-wage workers. Wage theft leads to poverty and homelessness. Although it's usually already illegal, low-wage workers are the least able to enforce their rights. They often don't have the knowledge or resources to obtain legal help, and they fear retaliation if they try to demand what they deserve. These workers need new legislation [with tougher penalties and realistic enforcement mechanisms](#) so they will have both the incentive to report wage theft and the confidence that the system will protect them.



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 employment. 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 employment 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](#).





PLI
BOOKS



Public Leadership Institute
1415 Elliot Place, NW
Washington, DC 20007
Phone: 202-454-6200

www.publicleadershipinstitute.org
leadership@publicleadershipinstitute.org