



# LESSONS FROM NEW YORK

HOW A BROAD COALITION WON THE STRONGEST  
PAID FAMILY LEAVE BILL TO DATE IN THE U.S.



THANK YOU  
GOVERNOR  
CUOMO

PAID  
FAMILY  
LEAVE

TRADES COUNCIL  
ITC

PAID  
FAMILY  
LEAVE



# INTRODUCTION

On April 4, 2016, New York Gov. Andrew Cuomo signed into law the country's most far-reaching paid family leave policy, marking a huge victory for the New York Paid Family Leave Insurance Campaign. Political reporter Rebecca Traister hailed the win as "a political, social, economic policy upheaval that will dramatically alter the playing field for millions of Americans by significantly reducing economic and gender inequality."<sup>1</sup>

Before this law, an estimated 6.4 million New Yorkers lacked access to paid family leave. Once fully implemented, almost all private sector New York workers will be able to count on up to 12 weeks of paid leave to spend time with a new child, or to care for ailing spouses, parents, or other family members. That's at least twice as long as the three other states with similar programs. The leave comes with job protection and is covered through modest employee contributions,<sup>2</sup> building on the state's existing temporary disability program.

The fight for paid family leave in New York began more than a decade ago. As late as January, 2016, many commentators still thought victory would be impossible under divided legislative leadership, Big Business opposition, and a Governor who, only five months earlier, had been a supporter but not a champion. This report, based on interviews with key campaign leaders, sums up how the campaign tackled these barriers to win and shares key lessons for other campaigns.

Women led the charge for paid family leave, but succeeded only by showing that paid family leave has a broad reach, concerns people of all genders, and has direct impact on all aspects of the life cycle. The campaign won a universal policy that should lead directly to the reduction of racial, gender and other inequalities.

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<sup>1</sup> Rebecca Traister, "New York Just Created a Revolutionary New Family-Leave Policy," *The Cut*, April 1, 2016, <http://nymag.com/thecut/2016/03/new-york-revolutionary-family-leave-paid-time-off.html>.

<sup>2</sup> Almost all private employers, regardless of size, must provide the benefit, which is job protected. The paid leave insurance is funded by employees through small payroll deductions. When an employee is on leave, benefits are paid by the insurance program, enabling the employer to use that employee's wages to cover replacement or overtime costs.



## ELEMENTS OF SUCCESS

### 1 Identify and invest in the capacity needed to win.

The New York Paid Family Leave Insurance Campaign grew out of a core group of organizations with longstanding relationships and commitment to the issue. This group had achieved passage of paid leave by the Democratic-controlled Assembly four times prior to 2016 – each year adjusting the policy to broaden support and add legislative champions, while sharpening the message, solidifying research and defining bottom lines.

In 2014, the core group gathered to develop a strategy for moving to victory. The legal and policy expertise and research and communication

capabilities of these core organizations and their networks had brought the campaign to a critical moment, and would continue to prove crucial to the final win. But the core group recognized that additional areas of expertise and

**“We got many calls after the win, saying, ‘You never gave up.’”**

strength would be necessary to win. Key to success was bringing into the campaign more organizations with the base and political power to influence the Governor and move legislators in crucial districts, especially upstate and on Long Island. The campaign

Steering Committee developed a plan to more deeply engage labor and bring on representatives from more diverse constituencies. The campaign secured funds and brought on paid staff to manage an intensive, statewide, coordinated grassroots campaign supported by communications and lobbying.

By accurately assessing strengths and weaknesses, opening the Steering Committee to those who brought missing expertise and capacity, and investing in key staff positions, the campaign did more than lay the foundation for victory – it also built capacity to defend the win, implement it, and support further victories.

## 2 Create a structure for a diverse coalition with robust governance to stay united and aligned.

The New York Paid Family Leave Insurance Campaign set up a structure that enabled the campaign to develop unified policy positions and reach out, engage and mobilize 307 organizations around a coordinated strategy and unified message. With the support of the newly hired staff, the Steering Committee established systems to communicate with the broader coalition, enabling campaign members to respond swiftly to events and connecting them to the inside lobbying strategy.

Policy alignment played an especially important role in victory. Early on, the Steering Committee held numerous conversations about bottom lines, playing out possible dividing lines they might encounter and building deeper shared understanding. There was some discussion about whether job protection and length of leave would need to be areas of compromise. While these were often difficult conversations, the campaign built reasonable consensus against compromising on these elements by reviewing other states' experience of low utilization due to workers' fears of job loss, as well as considering medical professionals' opinion that 12 weeks was the minimum period of leave needed.

### **The Steering Committee adopted these four pillars:**

- Twelve weeks of paid leave
- Sufficient wage replacement
- Job protection
- No carve-outs (apply to all businesses)

The campaign achieved exceptional discipline on these pillars, anticipating that opponents would try to weaken or dismantle the bill along these elements. The coalition mustered its resources, delivering compelling personal stories, research, polling, and legal and policy analysis, and demonstrating public demand in targeted districts to keep these pillars in the final bill.

**"There was so much misinformation being promulgated by the opposition. Rapid response from the campaign to legislative offices correcting this misinformation was crucial."**



### 3 Identify key champions and build an environment to support them. Map key targets and tailor a strategy to move them.

Following many years of relationship-building, in 2015 the campaign began to build and direct intensive grassroots and grasstops pressure to win Gov. Cuomo's active support. Finally, Gov. Cuomo made the issue a very public priority in early 2016 at his State of the State address. For the first time, he made the issue personal, talking about his regret at not spending more time with his father during his father's last days. Gov. Cuomo's leadership on the issue during the 2016 legislative session and budget negotiations helped ensure that New York won not just a paid family leave policy, but the strongest policy in the country to date.

To build momentum in the legislature, the campaign targeted 14 senators needed to win support for the bill in the Republican-controlled Senate, focusing maximum energy on moving those targets. This effort included regional press events and lobby visits, strategically placed op-eds and editorials, statewide lobby days, and a steady onslaught of emails, faxes and letters. At the Capitol, the coalition

gave legislative champions constant support and encouragement, won over cautious legislators, and made sure opponents received regular policy papers, personal appeals and constituent contact. Key legislative stakeholders from several parties were critical to building support within the chambers and party leadership, advising on internal strategy and pushing for key elements through negotiation.

The policy, research and legal expertise provided by key Steering Committee member organizations remained a critical aspect of the legislative approach, working to justify key policy positions, articulate arguments for and against proposals, and demonstrate the impact of proposed changes. Building trust as experts with the policymakers helped ensure that coalition leaders were consulted during key moments to help craft the best possible bill with the fewest possible compromises.

The campaign also developed an effective ground game to engage campaign members across the state, building in flexibility so different organizations could engage their respective bases and pick the tactics that fit their members. The campaign established six upstate regional coalitions and added a Long Island strategy to engage those most impacted by a lack of paid family leave.

For example, the coalition organized five rolling weeks of action in 2015, a themed week-by-week relay in which the baton was handed from faith groups to women's organizations, senior groups, child health advocates, and so on, capped by the delivery of 2,800 postcards at a capitol press conference featuring the bill sponsors. By the end of the campaign, coalition organizations had generated more than 30,000 contacts from constituents to their state senators, largely from these key districts.

**"Organizing in key districts really made the difference: putting pressure on members, answering concerns, providing cover, getting a few upstate Republicans to speak favorably about paid leave."**



## 4 Build relationships to engage key constituencies and amplify their voices.

The campaign identified key constituencies to show both broad impact of the policy and broad support for it. Groups helped find low-wage workers most affected by lack of affordable leave. The campaign also reached out to labor, seniors, faith leaders, women's groups, LGBT leaders, health professionals, small businesses, and military families. They lifted this range of voices through robust and strategic communications, with each of these constituencies mobilizing at a crucial moment in the campaign, and helping propel it to victory.

**Labor** moved the needle through member mobilization and lobbying support. Always at the core of the campaign for paid family leave, unions balanced and effectively advocated for both a \$15 minimum wage and paid family leave without pitting these goals against each other, winning two major progressive victories in the same year. Lead on Leave events held by the Obama administration became a mobilizing point for labor supporters through a seven-city simultaneous kick-off with video greetings from the U.S. Secretary of Labor and U.S. Senator Kirsten Gillibrand and with major labor leaders in attendance.

**Health professionals** made the case for the 12-week pillar at the Rx: Paid Family Leave forum, which featured national and state medical leaders. Twenty-two major health organizations and hundreds of pediatricians signed a letter calling for paid leave, generating multiple press hits.

**Small business owners** were engaged through grassroots outreach in target communities statewide. Trusted

messengers with decision-makers, the media and the public, small business owners shared personal stories highlighting the need for paid leave for all New Yorkers. In op-eds, letters to the editor, interviews, and roundtables, small business owners shredded opposition arguments that paid leave would burden business. A "Don't Carve Me Out" poster and photo campaign drove home the message that small businesses needed to be included in the program to level the playing field with larger firms. This effort involved a sign-on letter from more than 100 small business owners, as well as an Albany press conference with live and videotaped testimony featuring businesses running from a donut shop to a funeral home.

**"Doing joint lobby visits send a strong message: We are all in this together."**

**Seniors** met with the Governor in December, 2015, before his pivotal State of the State address, pressing Gov. Cuomo to champion the policy, adding a critical voice to the campaign's pressure. This, along with calls, faxes, emails, and other campaign efforts, yielded results.

## 5 Take advantage of and create pivotal media moments.

With its solid structure and long-standing partnerships, the campaign's robust communications committee, with the help of media consultants, turned external events into opportu-

nities and a steady drumbeat of media coverage. Just one year before the State of the State address in which Gov. Cuomo declared paid family leave a priority, the governor had told the press the legislature lacked "appetite" for such a measure. The campaign quickly gathered signatures of 56 prominent New York women and 20 women with national prominence, countering that women were indeed "hungry" for paid family leave. The campaign secured articles highlighting the letters in the *New York Times* and *Washington Post* on the same day, as well as coverage in *Politico*. The next day, Assembly sponsorship doubled, and the bill passed in that house for the fourth time.

The campaign took advantage of national and local momentum. Nationally, paid leave was receiving growing press attention, and the White House had made several Lead on Leave visits to New York. Toward the end of 2015, New York City Mayor Bill DeBlasio created a paid parental leave policy for city employees, raising the profile of the issue for the Governor. The campaign's aggressive media strategy resulted in powerful editorials in major papers, such as the *New York Times* and the *Albany Times Union*, as well as op-eds and consistent coverage of campaign events. By elevating the issue through voices of impacted groups, rapidly responding to misinformation, and strategically pursuing coverage, the campaign built strong public pressure to include paid family leave as a top priority in the 2015 and 2016 legislative sessions.

**"I went to get something to eat. A worker there said, 'I read all about paid family leave.' That's when I realized our work was having impact."**



## **6 Deliver sound, reliable policy expertise to craft the bill, develop effective support materials and educate policymakers.**

Research and policy analysis from New York and national groups was also critical in developing the campaign and drafting the bill over many years, as well as supporting the core pillars as the issue took off. These facts and figures, supplemented by compelling stories and small business voices, underscored core messages about the program and provided answers to opposition arguments about impact, cost and anticipated take-up rates.

Throughout the campaign, legal experts helped draft the legislation, devise alternatives, and bring to bear experience from other jurisdictions. Legal and policy experts helped evaluate and explain the impact of proposed changes, such as carving out small businesses, changes in the wage replacement rate, alternatives for financing, and more. This expertise was a critical factor in dispelling misinformation.

Decision-makers relied on this quick, credible analysis to help make the case against undermining the major pillars with harmful amendments and to flag when proposed changes were unworkable. This trust was crucial during key moments leading up to the final vote.

**"When an opponent would say, 'It's better for workers if we do x,' our policy experts could school them on the issue, say, 'Here are five reasons that's not true.'"**

# KEY LEARNINGS

**It's personal:** This issue impacts lots of people. Stories make a difference. Political leaders are impacted when they experience the stress firsthand.

**Have the goods:** Back up the stories with strong research, polling, legal and policy expertise.

**See the intersections:** Learn how to message paid leave with Fight for \$15, showing the importance of both to fighting income inequality, so the campaigns are not seen as competing. Everyone needs to earn at least \$15, but we cannot have zero dollars an hour when we welcome a new child or care for a parent with cancer.

**Activate health care professionals:** Many are already supporters. Create roles for them to be advocates.

**Plan for sequenced campaigns:** Families needing earned sick time most often also need paid family leave, child care, and – at some point – elder care. The more engaged these workers are, the more organizing can build campaign to campaign.

**Build a strong field operation:** Dedicate the time and funds necessary for a grassroots campaign. Low-wage workers should be not just the face, but the drivers of the campaign.

**Establish credibility and value with policymakers:** Become a trusted source of accurate information and policy expertise for both key legislators and the Governor's office. Have dedicated legal and policy experts working on the campaign: This support, early on and in negotiations with lawmakers, is important for winning a strong law.

**Don't shortcut small business organizing:** Working with small business owners requires longer lead time and dedicated staff to build relationships. Initially this is time-intensive, but even a small, dedicated group of small business owners is powerful for countering the opposition argument. Bring small business owners in early to craft policy and create ownership. Allow small business owners to speak with an independent voice.

**Build trust among organizational leaders:** Take care to establish relationships among the coalition partners. Have difficult conversations in person and not over email. Get agreement about different roles various partners can play, being intentional about how to best use these different strengths.

**Create avenues for engagement:** Help partner groups best mobilize and show the stakes for their own constituencies. Create options for engagement that fit with their membership and organizational structure.

**Don't stop with the win:** Be involved in implementation to help ensure the coalition can engage those most affected, understand challenges and gaps in the law, and plan the next round for strengthening the policy. This campaign did not succeed in winning either a shared assumption of costs by employers or a progressive system of payroll withdrawal for employees. Other campaigns should consider early how to include these elements.

## New York Paid Family Leave Insurance Campaign Steering Committee

1199 SEIU, 32BJ SEIU, A Better Balance, Citizen Action of New York, Community Service Society, New York Civil Liberties Union, New York Paid Leave Coalition, the NYS AFL-CIO, New York Statewide Senior Action Council, and the Working Families Organization.

Report design by Billie Kirkton.



NY Needs **Strong** Paid Family Leave



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