

## expanding the possibilities

Annual Report 2012-2013



THE CENTER HAS BEEN EXPANDING THE POSSIBILITIES FOR WOMEN AND THEIR FAMILIES FOR OVER 40 YEARS, yet the Center's mission is far from complete. Many women don't get equal pay for equal work. High-quality affordable child care remains beyond the reach of millions of families. Title IX's promise of educational opportunity has not been realized for every girl and young woman. Reproductive health care remains at risk. And women of all ages are more likely than men to be poor. The Center is committed to taking on the toughest challenges ahead and continuing to advance equality and opportunity for women and their families.

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# NWLC ANNUAL REPORT 2012-2013

## What a challenging year it has been!



he continued slow recovery from the Great Recession. Income inequality.

Unprecedented attacks on women's reproductive health care. Fierce attacks on the new health care law, even as women and their families began to reap its many benefits. Senate obstruction of judicial nominees.

And yet, there also were remarkable steps forward for justice, dignity and equality in America in 2012 and 2013. The Defense Department rescinded its long-standing, discriminatory ban on women serving in ground combat, recognizing the significant roles that women were already playing in our nation's Armed Forces. The Supreme Court struck down key provisions of the Defense of Marriage Act (DOMA), ending the federal government's ban on the recognition of same-sex marriages and sending an important message about the inherent worth and dignity of LGBT individuals. And in a major advance for women's health, the Obama administration expanded access to contraceptive coverage at no cost to the women benefitted, limiting the number of employers that are exempt from providing this coverage.

The Center played a pivotal role in each of these fights and many more during the fiscal year covered in this report.

First, economic security. The Center's timely analyses of women's employment and economic status shone a spotlight on the reality faced by hundreds of thousands of women: yes, they were gaining back jobs, but they were typically low-wage jobs, and the percentage of women living in poverty remained at historically high levels. The Center fought successfully to raise the minimum wage in two states and continued its push to increase the federal minimum wage, stuck at \$7.25 an hour for the last four years. Raising the minimum wage also helps close the wage gap since women make up two-thirds of minimum-wage workers.

The Center helped secure an extension of emergency unemployment benefits, enhancement of family tax credits and a requirement that the wealthiest Americans pay a fairer share of taxes, and it staved off cuts to Social Security, which would have had a devastating effect on women. The Center launched the Strong Start for Children campaign—with hundreds of organizational partners—to push for passage of President Obama's proposal to expand preschool, child care, and early Head Start and to increase the likelihood that children in these programs will lead economically secure and productive lives.

Second, equality and justice. The Center has been a leader in the decades-long struggle to open the doors of opportunity to all women in the Armed Forces, which culminated in the Pentagon's historic decision to lift the direct ground combat exclusion, eliminating one of the last vestiges of explicit sex discrimination sanctioned by the federal government. And the Center's *amicus* briefs in the two marriage-equality cases before the Supreme Court argued for full equality for individuals regardless of their sexual orientation, bringing constitutional and gender-based equality principles to bear in these landmark cases. How momentous were those victories!

The Center struck a blow to other forms of job discrimination and secured an end to two Bush-era rules that undercut government's ability to find and fix discrimination by federal contractors.

The Center improved equality and justice for girls on the playing field, by winning agreements in schools across the country to provide more opportunities for girls to play sports, and in the classroom, by winning new federal guidelines to help pregnant students stay in school.

The Center saw the injustice of servicewomen and military family members being denied even the same limited insurance coverage for abortion available to other federal employees and secured congressional legislation ending that unfair denial.

In the face of unprecedented activity to limit access to abortion, with states enacting abortion bans as early as six weeks into a pregnancy, the Center fought back forcefully, including by launching its innovative online campaign, *This Is Personal*, to engage and activate young women who had never before been involved in activities to protect reproductive health care. By the end of the fiscal year, the Center had recruited more than 500,000 women to join the campaign and inspired them to take more than one million actions to protect access to birth control and abortion. The Center also countered attacks on funding for the landmark health care law and pressed state lawmakers to expand health coverage through the Medicaid program.

On these and many other important issues, the Center worked to secure gains in the short term and developed strategies to ensure advances over the long term.

As we look to the year ahead, the Center will fight to raise the federal minimum wage, expand preschool and other early learning programs, restore cuts to the food stamp program, and make the promise of better health care and stronger reproductive rights a reality—and so much more.

We are grateful for the Center's individual and institutional donors, whose essential support sustains its work on behalf of the women and families who need it the most.

Nancy Duff Campbell
Marcia D. Greenberger
Co-Presidents

Brooksley Born
Board Chair

## Improving the economic security of women and families



Children getting ready to deliver artwork to the White House from the Center's Strong Start for Children campaign.

he economy continued to recover slowly from the Great Recession, and women gained back many of the jobs they lost during the recession. But the Center's widely cited analyses of women's employment trends and of the percentage of women living in poverty revealed that most of the jobs women gained were in sectors such as retail and food services that pay very low wages and benefits. Moreover, poverty among women and their families remained at historically high levels: in June 2013, more than one in seven women, and more than four in 10 female-headed families with children, lived in poverty. Indeed, six of 10 poor adults were women and more than half of all poor children lived in families headed by women.

Yet despite the fragility of the recovery and of women's economic status, some lawmakers sought to slash critical safety-net programs and to pursue austerity policies that cost jobs, especially for women. The Center worked to stop these efforts from becoming law, protect and improve essential programs such as emergency unemployment benefits and tax credits for low-income families, require the wealthiest Americans to pay a fairer share of taxes, secure state-level minimum wage increases, extend federal minimum wage and overtime protections for home health workers, and build support for increasing the federal minimum wage and federal tipped minimum wage. The Center also launched a new campaign and organized a broad coalition to support increased investments in early learning.

### The Center:

#### Won key victories for tax and budget

**fairness** in the so-called "fiscal cliff" legislation in 2012, including extending emergency unemployment benefits and enhanced family tax credits, protecting Social Security, Medicaid and Medicare, and requiring the wealthiest Americans to pay a fairer share of taxes, by playing a leading role in tax and budget coalitions, preparing and disseminating unique critical analyses and compelling infographics, educating key policymakers, and mobilizing supporters, and fought to end across-the-board budget cuts that took effect in 2013 by producing and disseminating widely cited analyses of women's employment and poverty trends showing that more of women's jobs gains were in low-wage sectors and that poverty among women and their families persists at historically high levels and by highlighting the impact of the cuts on vital services.

#### Helped win minimum wage increases

in Connecticut and New York, by producing and disseminating state-specific analyses demonstrating the link between a higher minimum wage and fairer pay for women (who make up two-thirds of minimum-wage workers), and helped secure Department of Labor regulations providing federal minimum wage and overtime pay protections for home care workers—90 percent of whom are women—by generating thousands of public comments in support of the regulations.

#### Rallied support for increased investments

in early learning by launching the Strong
Start for Children campaign with 375
organizational partners, delivering 30,000 letters
and artwork from children to the White House
in support of President Obama's Preschool for
All initiative to expand preschool, child care
and Early Head Start, holding a national Early
Learning Day of Action to educate the public
about the initiative joined by President Obama
and U.S. Senators, and helping shape the
proposed Strong Start for Children Act.

#### **Staved off a cut to Social Security**

**benefits** by showing how deeply a proposed reduction in the annual cost-of-living adjustment known as the chained Consumer Price Index would hurt older women, even with some adjustments to mitigate the cuts.

## Fighting discrimination in education with Title IX



A Center poster seeking information about inequities that girls face in athletics in Washington D.C. schools.

tudies have shown that playing sports improves graduation rates and academic achievement. But girls today receive only 41 percent of the opportunities to play high school sports and girls' teams continue to face inequities in the facilities, support, coaching, and publicity they receive. The Center worked to remedy this by securing Department of Education determinations requiring school districts across the country to give girls more opportunities to play sports and by participating in successful litigation to secure participation opportunities.

Today, young women who have children while in school face many barriers to success. Only half of pregnant and parenting students get a high school diploma by age 22, leaving them with poor employment prospects and their children with uncertain futures. The Center challenged school-based barriers that can push young mothers out of school, advocated for policies that support at-risk students, and pressed for enforcement of Title IX's prohibition of discrimination against pregnant and parenting students. Building on its June, 2012 report that examined the obstacles these students face, the Center worked to increase opportunities for them at the secondary and collegiate levels, securing new federal guidelines on schools' obligations to these students—the first of their kind in more than two decades—and a new precedent-setting policy at a large public university system.

### The Center:

**Secured Department of Education determinations** that eight school districts
nationwide must give girls more opportunities
to play sports to comply with Title IX, by
filing administrative complaints with the
Department's Office for Civil Rights based
on the districts' own data showing unequal
athletic opportunities for girls.

#### Helped pregnant students stay in

**school** by securing strong guidelines from the Department of Education on schools' Title IX obligations to protect these students from discrimination, and securing a new policy at the 269,000-student City University of New York (CUNY) that spelled out CUNY's obligations to excuse pregnancy-related absences and allow students to make up work they miss, after filing a Title IX complaint with the Department's Office for Civil Rights on behalf of a CUNY student.

## Advanced Title IX's protections for women athletes by securing a

precedent-setting U.S. Court of Appeals decision at Quinnipiac University in Connecticut, which spelled out when an activity can be counted as a sport and ordered the university to retain all women's teams (including volleyball, which the school had tried to replace with "competitive" cheerleading) after filing an amicus brief on behalf of female athletes; filing another amicus brief with the U.S. Court of Appeals for the Ninth Circuit supporting the District Court's ruling that a California high school had systematically failed to give girls equal participation opportunities, treated girls' teams unequally, retaliated against female athletes whose parents complained, and created an overall chilling effect on students' willingness to report problems, in violation of Title IX, and conducting a campaign, Rally for Girls' Sports: She'll Win More than a Game, to educate parents about the inequality their daughters face in sports programs and mobilize them to press for change.

## Combatting discrimination on the job



The Center fought to open opportunities for women in all occupations.

ifty years ago, President Kennedy signed the Equal Pay Act, the landmark law that requires employers to pay male and female employees equally for substantially equal work. Today, women represent nearly half the workforce and more than 40 percent of breadwinners. Yet women working full-time, year-round are typically paid just 77 cents for every dollar paid to their male counterparts—a gap in wages that has remained stagnant for the last decade and is far worse for women of color. The Center marked the anniversary of the Equal Pay Act by releasing reports, convening panel discussions of prominent leaders, and pressing for policy solutions to close the wage gap, such as improving pay discrimination laws, removing barriers to higher-paying, nontraditional jobs, and updating outmoded workplace policies that penalize pregnant women and those with caregiving responsibilities.

The Center's work paid off when the Department of Labor adopted a new rule that restored its ability to properly investigate and remedy pay discrimination among federal contractors, and when the Center's long-standing efforts to remove all barriers to women's employment culminated in the historic opening of ground combat jobs to military women.

### The Center:

debate.

Won an end to the Defense Department policy banning women from direct ground combat, by documenting U.S. servicewomen's successful performance in Iraq and Afghanistan, pressing for elimination of the policy in meetings with Pentagon officials, marshaling Defense Department advisory committee and congressional support, and engaging the media and the public in the

#### **Secured protections for pregnant workers**

by filing an Equal Employment Opportunity
Commission complaint on behalf of a pregnant
hospital cleaner in Florida who was forced to
take unpaid leave when her employer refused to
accommodate her doctor's request that she not
lift heavy objects and negotiating a settlement
with the hospital that allowed her to return to
work, co-authoring a report, It Shouldn't Be a
Heavy Lift: Fair Treatment for Pregnant Workers,
which shows that many pregnant workers—
especially those in low-wage jobs—are fired or
forced to take unpaid leave when their employers
refuse to make the basic accommodations they
give other workers with temporary disabilities,

and filing an *amicus* brief with the Supreme Court of California arguing that an employer is not legally permitted to deny a pregnant woman a job based on its concern for her fetus.

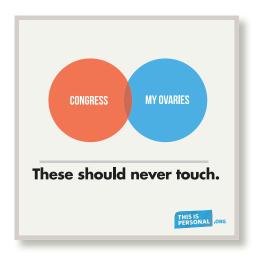
Won strengthened enforcement of equal pay laws by successfully pressing the Department of Labor to rescind two Bush-era guidelines that undercut its ability to detect and remedy pay discrimination among federal contractors, who employ more than one-fifth of the civilian labor force.

#### Focused national attention on the wage

gap's harm to women and policy solutions to close it, including by documenting persistent barriers to fair pay in a report, 50 Years and Counting: The Unfinished Business of Achieving Fair Pay, launching an interactive website (MyWageGap.org) to encourage women to get involved, hosting a prominent National Press Club panel discussion that identified policy solutions such as passing the Paycheck Fairness Act, and helping develop and support several ground-breaking congressional economic agendas that address the economic challenges facing women.

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## Protecting women's health



A visual from the Center's This Is Personal campaign on social media.

his year saw unprecedented, broad-based attacks on women's access to reproductive health care, including passage of bans on abortion as early as six weeks into a pregnancy in North Dakota and after twelve weeks in Arkansas. Although most of these bans have not taken effect pending legal challenges, dozens of other severe restrictions have made abortion access more difficult across the country. The Center met these attacks vigorously, including by launching an innovative online campaign, *This Is Personal*, to mobilize young women to protect reproductive health care and by fighting threats posed by crisis pregnancy centers and by legal challenges from employers seeking to avoid providing contraceptive coverage to employees based on their own religious beliefs.

On another front, opponents of the Affordable Care Act (ACA), also known as Obamacare, continued their efforts to undermine the law and its implementation, ranging from numerous, failed efforts in Congress to defund the law and limit its application to reproductive health care to decisions by many states to opt out of expanding their Medicaid programs, leaving millions of women and families in the most financial need without access to health care. To respond to these challenges, the Center stepped up its efforts to ensure full and effective implementation of the ACA in the states and at the federal level, including by working with state organizations to educate the public about the law's benefits and to press lawmakers to expand their Medicaid programs.

### The Center:

**Expanded the movement to protect reproductive health** by launching *This Is Personal*, an online campaign that educated, engaged, and activated more than 500,000 women, who took more than one million actions to fight unprecedented attacks on women's access to birth control and abortion.

Won repeal of the ban on insurance coverage of abortion for U.S. servicewomen and military family members who are rape or incest survivors, by engaging retired service members and playing a leadership role in the campaign to end the discriminatory policy, securing a Defense Department advisory committee recommendation to end the ban, and mobilizing supporters to send over 106,000 messages to Congress.

## Fought to prevent employers from denying the contraceptive coverage to

their employees that is required by the Affordable Care Act, by leading the successful effort to convince the Department of Health and Human Services to limit the number of employers that are exempt from directly covering birth control, authoring eight *amicus* briefs on behalf

of 41 organizations in key lawsuits brought by employers that do not want to give their employees this important benefit, and assisting women in securing this benefit at no cost to them through the Center's PILL4US hotline.

Advanced health care protections for pregnant women by filing five groundbreaking maternity coverage complaints against institutions that exclude pregnancy coverage from the health insurance benefits provided to their employees' dependent children, believed to be the first complaints to challenge dependent pregnancy coverage exclusions as violations of Section 1557 of the Affordable Care Act, a provision that the Center secured and that bars sex discrimination in health care programs that receive federal funds.

Engaged state-based women's health advocates in efforts to ensure effective ACA implementation through the federal regulatory process, traditional and social media, and advocacy on behalf of expanded coverage through Medicaid, contributing to expanded coverage in 25 states.

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## Making the wheels of justice turn for women



A Center visual depicts the judicial vacancy crisis on an important federal court. n the face of unprecedented Senate obstruction of President Obama's nominations to the federal courts and the critical need to fill vacancies and increase the diversity of the judiciary, the Center played a crucial role in educating the public about the importance of a diverse federal bench and in securing, and pressing for confirmation of, high-quality judicial nominations.

When women are fairly represented among the nation's federal judges, it helps the courts reflect the population as a whole and instill more confidence in their decisions. And having more women on the bench improves the quality of justice because female judges bring an understanding of the impact of the law on the lives of women and girls and enrich the courts' understanding of how best to realize the intended purpose of our laws.

In a year of blockbuster decisions by the Supreme Court, the Center explained what was at stake for women in major cases before the Court and weighed in with *amicus* briefs articulating and advancing constitutional principles of importance to women.

### The Center:

Highlighted the significance of the judicial vacancy crisis by educating the public, coalition partners, Members of Congress and Obama Administration officials about its impact on all Americans—especially women—and the importance of a diverse judiciary, by compiling and providing data on the number of active female judges on the federal bench and the unprecedented level of diversity (by gender, race, ethnicity, sexual orientation and professional background) of President Obama's judicial nominees.

Played a key role in the high-profile nomination of Caitlin Halligan to the U.S. Court of Appeals for the D.C. Circuit, including by coordinating coalition efforts to engage key constituencies, such as women's bar associations, and opposing the two filibusters in the Senate that ultimately blocked her nomination, and began advocacy efforts for the confirmation of three D.C. Circuit nominees, Patricia A. Millett, Cornelia (Nina) Pillard, and Robert Wilkins, who would eventually be confirmed.

Advanced marriage equality by authoring amicus briefs that analyzed the parallels between discrimination on the basis of gender and discrimination on the basis of sexual orientation and argued for full equality for individuals, on behalf of a range of organizations, in two Supreme Court cases—U.S. v. Windsor, in which the Court struck down two key provisions of the Defense of Marriage Act barring the federal government from recognizing same-sex marriages, and *Hollingsworth v. Perry*, in which the Court's ruling that it lacked jurisdiction left standing the district court decision declaring unconstitutional the California referendum barring same-sex marriages and cleared the way for these marriages to resume.

## Center Supporters

he victories won on behalf of women and their families would not have been possible without the support that so many individuals and organizations gave the Center. The Center deeply appreciates these contributions and looks forward to continuing to work together to expand the possibilities for women and their families in the years to come. The following lists the Center's supporters for the fiscal year ending on June 30, 2013.

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The victories won on behalf of women and their families would not have been possible without the volunteer assistance that many organizations and individuals generously provided to the Center. In the past fiscal year, organizations and individuals providing pro bono support included: Arnold & Porter; Georgetown University Law Center; Greenberg Traurig; Holly Hemphill; Hogan Lovells; Jones Day; K&L Gates; Mayer Brown; Morgan Lewis & Bockius; Morrison & Foerster; Paul, Weiss, Rifkind, Wharton & Garrison; Reed Smith; Trister, Ross, Schadler & Gold; and WilmerHale. Organizations and individuals sponsoring fellowships included: Equal Justice Works; Ford Foundation; Greenberg Truarig; Deborah Slaner Larkin & The MARGARET Fund; New York University School of Law; Skadden Fellowship Foundation; and the Women's Law and Public Policy Fellowship Program. The Center deeply appreciates these contributions and looks forward to continuing to work together to expand the possibilities for women and their families in the years to come.







## Statement of activities

#### **National Women's Law Center and National Women's Law Center Action Fund**

Consolidated Statement of Activities for the Year Ended June 30, 2013

	Unrestricted			Temporarily	Permanently	2013
	Operating	Reserves	Total	Restricted	Restricted	Total
Revenue and support						
Grants	\$ 210,500	\$ -	\$ 210,500	\$12,951,781	\$ 5,000,000	\$18,162,28
Investment income	-	1,364,781	1,364,781	2,025,286	-	3,390,06
Income from cash equivalents	7,360	-	7,360	-	-	7,36
Contributions	1,761,997	_	1,761,997	168,407	6,808	1,937,21
Donated goods and services	1,794,447	-	1,794,447	-	-	1,794,44
Rental income	128,000	-	128,000	-	-	128,00
Other	95,171	_	95,171	-	-	95,17
Legal fees	111,187	_	111,187	_	_	111,18
Net assets released from restrictions & trans	fers:					
Appropriation of endowment income	708,293	_	708,293	(708,293)	_	
Transfer from Reserves	191,707	(191,707)	-	-	-	
Satisfaction of time & program restrictions	9,017,353	-	9,017,353	(9,017,353)	-	
Total revenue and support	14,026,015	1,173,074	15,199,089	5,419,828	5,006,808	25,625,72
Expenses						
Program services:						
Health and Reproductive Rights	6,731,345	_	6,731,345	-	-	6,731,34
Family Economic Security	1,984,277	_	1,984,277	-	-	1,984,27
Women's Legal Rights	1,134,722	_	1,134,722	-	-	1,134,72
Education and Employment	2,183,179	_	2,183,179	-	-	2,183,17
Total program services	12,033,523		12,033,523	-	-	12,033,52
Supporting services:						
Administration	1,660,541	_	1,660,541	-	-	1,660,54
Development	526,851	_	526,851	-	-	526,85
Total supporting services	2,187,392	-	2,187,392	-	-	2,187,39
Total expenses	14,220,915	-	14,220,915	-	-	14,220,91
Change in net assets	(194,900)	1,173,074	978,174	5,419,828	5,006,808	11,404,81
Net assets, beginning of year	1,335,865	8,032,930	9,368,795	6,435,565	14,200,087	30,004,44
Net assets, end of year	\$1,140,965	\$9,206,004	\$10,346,969	\$11,855,393	\$19,206,895	\$41,409,25

## Statement of financial position

#### **National Women's Law Center and National Women's Law Center Action Fund**

**Consolidated Statement of Financial Position** 

	June 30, 2013		
Assets			
Cash and cash equivalents	\$ 6,037,613		
Investments	25,142,215		
Accounts receivable	39,530		
Grants and contributions receivable, net	10,799,115		
Prepaid expenses	244,655		
Property, equipment and intangible assets, net	572,944		
Security deposits	26,546		
Total assets	\$42,862,618		
Liabilities and net assets			
Liabilities			
Accounts payable and accrued expenses	\$ 778,822		
Deferred compensation	382,736		
Sub-tenant security deposit	10,719		
Deferred rent and incentive allowance	281,084		
Total liabilities	1,453,361		
Net assets			
Unrestricted	10,346,969		
Temporarily restricted	11,855,393		
Permanently restricted	19,206,895		
Total net assets	41,409,257		
Total liabilities and net assets	\$42,862,618		

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Children and their parents deliver letters and artwork to the White House in support of President Obama's Preschool for All initiative.



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