

April 19, 2023

The Honorable Bernie Sanders
Chair
Committee on Health, Education, Labor &
Pensions
United States Senate
428 Senate Dirksen Office Building
Washington, DC 20510

The Honorable Bill Cassidy
Ranking Member
Committee on Health, Education, Labor &
Pensions
United States Senate
428 Senate Dirksen Office Building
Washington, DC 20510

Re: Women’s Community Letter of Support for Julie A. Su as Secretary of Labor

Dear Chair Sanders and Ranking Member Cassidy:

On behalf of the 56 undersigned organizations committed to advancing women’s equality and economic security, we write to express our strong support for Julie A. Su as Secretary of Labor.

The Secretary of Labor is the nation’s most senior official tasked with ensuring the well-being and rights of working people and advancing their employment opportunities. In this position, Ms. Su would direct the Department of Labor’s (DOL’s) interpretation and enforcement of a number of laws vital to women’s economic security and right to be free from workplace discrimination, such as the Fair Labor Standards Act; the Occupational Safety and Health Act; the Family and Medical Leave Act; the Affordable Care Act’s requirement of break time for nursing mothers; the executive orders prohibiting sex discrimination and other forms of discrimination by federal contractors; and a range of executive orders setting labor standards for federal contractors’ employees, including on minimum wage and a right to earn paid sick days, in addition to overseeing a range of workforce training initiatives. These policies are essential to closing the gender wage gap: they remove barriers to women’s employment opportunities, including sex discrimination; raise women’s wages; allow women to meet caregiving responsibilities without sacrificing their employment; and ensure women’s health and safety so they can continue to support their families.

The most recent jobs data show that for the first time since the start of the COVID-19 pandemic, the number of women in the labor force exceeds pre-pandemic numbers. However, the overall unemployment rate masks higher rates for Black and Latina women, disabled women, and other groups. As the economy continues to recover, it is vital that the Department of Labor ensures all workers have access to high quality jobs that provide good wages, fair pay, employer-sponsored benefits, opportunities for advancement, safety on the job, and freedom from discrimination.

Women and their families deserve a Secretary of Labor who is committed to advancing the rights of women workers and to the robust enforcement of the laws that protect them. Ms. Su is such a leader.

As Deputy Secretary, Ms. Su worked closely with Secretary Walsh to oversee the work of the Department across a wide range of programs designed to improve the jobs and welfare of working people in this country. Ms. Su helped advance new DOL programs under the American Rescue Plan, which invested millions of dollars to help strengthen and expand the U.S. workforce; these programs have helped workers access unemployment insurance benefits, improved workplace safety protections under the Occupational Safety and Health Administration, and created innovative workforce training and apprenticeship initiatives. Ms. Su also played a vital role in the creation and implementation of

President Biden's Good Jobs Initiative. Under her leadership, this pathbreaking initiative has helped improve job standards in government contracting and grant making—including higher wages, paid leave, registered apprenticeships, and pre-apprenticeships that open up opportunities for women, people of color, and underserved communities.

Under Ms. Su's leadership, the Department has taken steps to increase wages for workers. In 2021, the Department issued a final rule to implement President Biden's Executive Order 14026, raising wages for federal contractors to \$15 per hour. Women's overrepresentation in low-paid jobs—including federally contracted jobs—is one factor driving the persistent gender wage gap, and raising the minimum wage shrinks that gap and helps lift women and their families out of poverty. The Department also strengthened protections for tipped workers that had been weakened during the Trump administration, ensuring that employers will be required to pay a full minimum wage to workers when they are not engaged in tip-producing work. Tipped workers are about two-thirds women and disproportionately women of color—and improving wages and workplace protections for tipped workers is a crucial step toward equality, dignity, and safety for women at work.

Ms. Su has also been a leader in the Department's efforts to support labor unions across the country. The DOL recently launched the Worker Organizing Resource and Knowledge Center, the federal government's first online resource center providing information about labor unions and their importance to workers and communities. Union membership is especially important for women workers. Belonging to a union raises wages for all workers, but women particularly benefit: women in unions are consistently paid wages that are not just higher, but also more equal to men's wages. While our nation's labor laws remain in need of updating, the leadership of Ms. Su at DOL will help to level the playing field for workers seeking to unionize to build better workplaces for all.

In 2022 under Deputy Secretary Su, the Department also proposed a rule to revise and clarify the test for independent contractor status under the Fair Labor Standards Act (FLSA). The rule would better ensure that the protections of the FLSA are available to all those whom the law is meant to protect. It is no coincidence that misclassification is rampant in low-paid, labor-intensive industries, including not only app-dispatched work but also fields like home care and housekeeping where women, and particularly women of color, are overrepresented. Reducing misclassification helps working women assert their rights under the FLSA, including minimum wages and overtime pay, employer obligations to accommodate breastfeeding workers, and protections against pay discrimination.

Prior to her work as Deputy Secretary, Ms. Su dedicated her career to fighting for the rights of women workers, first as a groundbreaking civil rights attorney and then as the Secretary of the California Labor and Workforce Development Agency. Her career demonstrates her deep understanding of the role that gender and race play in employers' exploitation of low-paid workers. For her tireless advocacy in the field of workers' and civil rights, Ms. Su won a MacArthur "genius" grant when she was just 32 years old.

As a civil rights attorney with Asian Americans Advancing Justice-Los Angeles Ms. Su represented women workers across low-paid industries, challenging extreme and dehumanizing labor conditions. In this role, Ms. Su represented more than 70 Thai workers who had been trafficked to the United States and kept inside a two-story apartment complex ringed with barbed wire, forced to work 18-hour days, and paid less than a dollar per hour to produce clothing. Ms. Su sued on behalf of these workers, as well as Latina garment workers working for the same company, and won, ultimately establishing new

precedent to hold abusive employers accountable and winning more than \$4 million in back pay for the workers.

While serving as a California Labor Commissioner, Ms. Su worked to combat wage theft, promote pay equity, and administered the nation's first statewide paid family and medical leave program. Ms. Su is deeply knowledgeable about what is needed to create safe and healthy workplaces for all workers, and especially low-paid women workers.

Julie Su is a dedicated public servant that has a proven track record as a thoughtful and committed leader for working people. We offer strong support for the nomination of Julie Su as Secretary of Labor and urge a vote to advance her nomination to the Senate floor.

Sincerely,

National Women's Law Center
9to5
A Better Balance
All* Above All Action Fund
American Association of University Women
Americans for Democratic Action (ADA)
Asian Pacific American Labor Alliance, AFL-CIO
Asset Building Strategies
Association of Flight Attendants-CWA
Center for Law and Social Policy (CLASP)
Center for Parental Leave Leadership
Center for WorkLife Law
Chicago Foundation for Women
Citizen Action of New York
Communications Workers of America (CWA)
Connecticut Women's Education and Legal Fund (CWEALF)
Empowering Pacific Islander Communities (EPIC)
Equal Rights Advocates
ERA Coalition
Family Values @ Work
Family Values@Work Action
Futures Without Violence
Institute for Women's Policy Research
Just Solutions
Justice for Migrant Women
Kansas Breastfeeding Coalition
Legal Aid at Work
MomsRising
NARAL Pro-Choice America
National Black Worker Center
National Center for Law and Economic Justice
National Council of Jewish Women
National Disability Rights Network (NDRN)

National Education Association
National Employment Law Project
National Latina Institute for Reproductive Justice
National Organization for Women
National Partnership for Women & Families
National Skills Coalition
National Taskforce on Tradeswomen Issues
National Urban League
National Women's Political Caucus
Oxfam America
Paid Leave for All
Public Advocacy for Kids (PAK)
ROC United
SaverLife
Service Employees International Union (SEIU)
Sexual Violence Prevention Association (SVPA)
Sugar Law Center for Economic & Social Justice
UnidosUS
United for Respect
USOW
Women Employed
Women's Funding Network
Women's Law Project