

Tulane University Policy Research Shop
**Gender Equality Promotion in New Orleans Local
Government**

**Prepared for the Office of Councilwoman LaToya Cantrell,
District “B”**

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TABLE OF CONTENTS

EXECUTIVE SUMMARY.....	
1. INTRODUCTION AND STATEMENT OF PROBLEM.....	2
2. BACKGROUND INFORMATION.....	2
2.1 WOMEN’S RIGHTS INITIATIVES ON A GLOBAL SCALE	
2.2 WOMEN’S COMMISSIONS IN THE UNITED STATES	
2.3 WOMEN’S COMMISSIONS AT THE STATE LEVEL	
2.4 WOMEN’S COMMISSIONS AT THE LOCAL LEVEL	
3. CASE STUDIES.....	4
3.1 SAN FRANCISCO	
3.2 MASSACHUSETTS	
3.3 LOUISIANA	
4. POLICY OPTIONS.....	7
4.1 STATUS QUO	
4.2 CEDAW ORDINANCE	
4.3 ESTABLISHING A DEPARTMENT/COMMISSION ON THE STATUS OF WOMEN	
5. LIMITATIONS AND AREAS FOR FURTHER RESEARCH.....	10
6. CONCLUSION.....	10
7. ENDNOTES.....	11

EXECUTIVE SUMMARY

The purpose of this report is to inform the Office of Councilwoman LaToya Cantrell on the ways in which other government entities have addressed the promotion of gender equality within local government. San Francisco and Massachusetts have been particularly proactive in promoting gender equality by creating independent departments and commissions that are dedicated to promoting women's issues and gender equality. San Francisco has also been particularly proactive by aligning itself with Cities for CEDAW and passing an ordinance that promotes the ideals of women's rights as they are established in the United Nation's Covenant on the Elimination of All Forms of Discrimination Against Women. The state of Louisiana also has a women's commission, but the city of New Orleans has yet to establish a commission or ordinance of its own that specifically dedicates itself to the protection of women. The policy options proposed are geared toward establishing the best practices for the city of New Orleans to undertake in order to identify and eliminate gender inequality and create a more reflective and inclusive government and city.

1. INTRODUCTION

The City of New Orleans has over one hundred boards and commissions operating to promote the betterment of the city and specific interests. Boards are typically formed by the state constitution, the city charter, mayoral executive order and a number of different avenues.ⁱ Though these boards cover a plethora of important issues, none are dedicated to the promotion of women's rights or gender equity. New Orleans is home to a variety of organizations that to promote the interests of local women, however, this has not been translated into an effort by local officials to include these efforts in official agendas. Because Louisiana is particularly conservative in terms of reproductive health policies, many local women's organizations are dedicated to the protection of these rights. Issues associated with the rights of transgendered and gender nonconforming individuals have also become of increasing concern in New Orleans. Organizations such as BreakOut! have attempted to support these communities and gather more attention to discriminatory practices that are common in New Orleans.ⁱⁱ This brief aims to address possible ways to implement an apparatus that will insure the inclusion to groups in New Orleans that have been marginalized on the basis of gender.

Significant measures have been taken to prevent discrimination against women. The United States Department of Justice issued recommendations to the New Orleans Police Department regarding existing protocol for handling gender-based crimes.ⁱⁱⁱ

Though New Orleans doesn't have a women's commission, there is a statewide women's commission through the Office of Women's Policy. This commission produces yearly reports to that update the governor and other leaders on issues that have the potential to impact Louisiana's women. Though these reports are useful for legislators, there is no guarantee that the problems identified by the Louisiana Women's Policy and Research Center will be addressed, and there is no focus on New Orleans specifically.

2. BACKGROUND INFORMATION

2.1 WOMEN'S RIGHTS INITIATIVES ON A GLOBAL SCALE

The United Nations has established women's rights as an important, pressing issue for the international community. Women's rights have been established as human

rights issues by the United Nations, and the UN solidified this with the adoption of the Covenant on the Elimination of All Forms of Discrimination Against Women in 1979. In this covenant, the United Nations defined discrimination as “[any] distinction, exclusion, or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the in the political, economic, social, cultural, civil, or any other field”.^{iv} This covenant reaffirms the social, economic, cultural, and civil rights of women and urges its member states to take legal measures to identify and prevent gender discrimination. Out of the 193 states in the United Nations, 186 countries have adopted CEDAW.^v

While President Jimmy Carter signed this Covenant upon its fruition, it failed to be ratified by Congress, resulting in inconsistent policy regarding gender equality throughout the United States. To this day, the United States is one of seven United Nations member states to not have ratified the CEDAW covenant, along with countries such as Somalia, Sudan, and Iran.^{vi} Since the federal government has not established nationwide measures to improve gender equality within the public or private sector, grassroots efforts have erupted throughout the nation to encourage cities to adopt the ordinances that reaffirm the principles outlined by CEDAW and the United Nations.

2.2 WOMEN’S COMMISSIONS IN THE UNITED STATES

President John F. Kennedy implemented the Presidential Commission on the Status of Women in 1961. Former First Lady Eleanor Roosevelt was tasked with leading the organization.^{vii}

There are a variety of successful models that can be considered when attempting to implement a women’s commission in a city or state. The National Association for Commissions on Women is an organization that encourages the development of women’s commissions throughout the country. This organization was formed after the dissolution of President Kennedy’s Commission on the Status of Women.^{viii} This group has been operating for forty-six years and meets annually to devise strategies that will increase the influence of women’s groups throughout the country.^{ix} Similarly, organizations working to achieve gender equality have offered their own recommendations for establishing structures such as city-level women’s commissions. The It’s Time Network released a report directed at mayors around the country.

2.3 WOMEN’S COMMISSIONS AT THE STATE LEVEL

The Louisiana Women’s Policy and Research Commission’s annual report to the governor outlines the state of women in Louisiana, and the last published report (2014) shows many areas with room for improvement in terms of gender equality. The report details policy areas that affect women including women’s health, gender based violence, education, and employment. It then offers recommendations on how the state could improve in these areas.^x Additionally, there is an entire section devoted to trends in women’s leadership, stressing the importance of getting women to run for elected positions or otherwise get involved in politics. Women are severely underrepresented in leadership positions, including business and politics, and in Louisiana the number of women in elected offices has been steadily declining over the last few years. In 2015 only

women made up only 12% of the statehouse and senate, making Louisiana the state with the lowest percentage of women in government in the country.^{xi}

There are several non-governmental organizations that already exist in Louisiana that promote women's involvement in leadership, such as the Louisiana Legislative Women's Caucus Foundation, established in 2005 by Louisiana's Legislative Women's Caucus. One initiative that they have worked on is the Ready to Run program, a workshop that trains and encourages women who are considering running for an elected office or otherwise get involved in state politics.^{xii}

2.4 WOMEN'S COMMISSIONS AT THE LOCAL LEVEL

The City of New Orleans currently has an agency to address human rights concerns. This organization is called the New Orleans Human Relations Commission and was established by Chapter 86 of the city's code. There is a three person staff and a board of seventeen individuals that serves on the commission. The role of staff members is to field complaints, investigate and advise. Board members are responsible for holding hearings to address concerns and enforce compliance with the guidelines articulated by the Commission. The mission of the organization is to "end discrimination and promote equal human rights." Individuals who believe that they are the victims of any type of discrimination can report their experiences to the Human Relations Commission. While eliminating discrimination of all forms includes gender, there is not currently a program in New Orleans local government that specifically monitors the progress and promotion of women in government or the community.

3. CASE STUDIES

3.1 SAN FRANCISCO

For decades San Francisco has been a model city for establishing gender equality and analysis programs. In 1975 it paved the way for gender equality when it established The Commission on the Status of Women, which is a commission within the San Francisco government "whose purpose is to ensure women and girls economic, social, political, and educational opportunities throughout the city."^{xiii} It then upgraded the commission into a Department in 1994. The Department on the Status of Women provides services through two main action programs: Violence Against Women Prevention and Intervention Grants Programs and Women's Human Rights Initiatives.^{xiv} In 1998 San Francisco became the first city to adopt an Ordinance that outlines the principles of CEDAW in regards to the employment, education, economic development, health care, and violence against women and girls.^{xv} The main purpose of the CEDAW ordinance is to ensure that the City's action and policies in the public and private sector do not discriminate, whether intentionally or unintentionally, against women. San Francisco's local CEDAW ordinance changes the definition of discrimination¹ to match the United Nations CEDAW definition, rather than the definition of discrimination in U.S. law, and requires that all measures of discrimination be subjected to the stricter standards established by the United Nations.

¹ Discrimination is any distinction, exclusion, or restriction on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human right and fundamental freedoms in political, economic, social, cultural, civil, or any other field". [i]

When the Ordinance was first enacted in 1999 a Task Force was assembled which would enforce the implementation of CEDAW and which after five years of monitoring would expire and its duties would be taken over by the Commission on the Status of Women, which still exists as a subsector of the Department on the Status of Women.² The Task Force comprised of government officials from departments such as the Commission on the Status of Women, the Human Rights Commission, the Mayor's Budget Office, the Board of Supervisors, as well as a few non-governmental organizations.^{xvi} One of the main proponents of implementing the CEDAW Ordinance is to conduct gender analyses³ of government departments and programs. The Ordinance provides guidelines for gender analysis that City Departments are required to use and these guidelines are designed to uncover discrimination in three main areas: services, employment, and budget. During the analysis the Departments must define desired outcomes for key programs if they could be completely gender equal, collect disaggregated data⁴ and then analyze it to identify services that are discriminatory, create an action plan to eliminate discrimination in priority areas, and monitor the implementation of the action plan to ensure that the adjustments and deadlines are made.^{xvii}

Shortly after the implementation of the CEDAW Ordinance, the Department of the Environment was required to undergo a gender analysis in 2001. In the analysis, it was uncovered that women held only 33% of the professional positions in the department and there was only one position held by person of color. After undergoing the analysis the department changed their policies and by 2009, 69% of the professional positions were held by women and minorities held 39%.^{xviii} The CEDAW Ordinance's gender analyses have been particularly beneficial within the San Francisco government because not only does it draw attention to gender discrimination practices and make women's rights a priority, but the gender analysis includes such a broad arrangement of data factors that it also exposes discrimination and areas for improvement in other areas, such as race and work productivity. The information derived from gender analysis has been pivotal for ensuring that further measures are taken to promote diversity in government. After a gender analysis in 2007 reported that women and minorities were severely under represented, a charter amendment was passed that required appointments to reflect the diversity of the city. Women now hold 50% of appointed positions.^{xix}

Currently, the Department of the Status of Women has turned its attention to implementing CEDAW within the private sector and drafted the Gender Equity Principles (GEP) Initiative which helped private companies promote gender equality

² For the purpose of adopting a CEDAW Ordinance for the City of New Orleans, a Task Force is not an absolute necessity for the implementation of the Ordinance because the jobs of the task force can be accomplished by designating a commission with the responsibility of enforcing CEDAW, whether is be a new Women's Commission or an existing commission such as the Human Relations Commission.

³ Gender analysis: An analysis to provide framework for examining the cultural, economic, political, and social relationships between women and men in departments. While undergoing a gender analysis agencies must examine policies, programs, services, employment, and actions to identify patterns of discrimination (if any) and provide non-discriminatory alternatives. The analysis provides data on gender as well as race, disabilities, immigration, and sexual orientation. [vi]

⁴ Disaggregated Data: demographic information on the users or beneficiaries of a policy, program, or practice broken down by sex, race, and other identities, such as, but not limited to, immigration status, language, sexual orientation, disability, and age. [vi]

within the work force by outlining standard for gender equality and providing tools and resources to implement non-discriminatory practices.^{xx} It is also currently investigating employment rates and issues regarding recruitment, retention, and advancement of women within the tech industry, trade jobs, and public safety. Data for these analyses are gathered from HR departments and conducting interviews with people in the department.^{xxi}

In the 2013-2014 fiscal year, the Department on the Status of Women operated on a budget of \$5,326,365, of which \$4,821,624 was used to fund the Commission on the Status of Women, which oversees the CEDAW Ordinance^{xxii}. In that same time period the commission was able to conduct gender analysis on 6 government agencies and agencies and engage 172 Gender Equality Principles Initiatives within the private sector.[vii] In San Francisco's implementation suggestions of CEDAW, the Department on the Status of Women suggests that cities should allocate \$0.10 to \$0.25 cents per woman living in the city to implement to reforms outlined by a CEDAW Ordinance.^{xxiii}

San Francisco's plan has been heralded as a primary model for promoting gender equality within cities because it encompasses such a wide variety of women's issues and requires its governmental departments to provide solutions to resolve their discriminatory practices. It was the first city to pass a CEDAW Ordinance and join the Cities for CEDAW initiative and has served as inspiration for fourteen plus cities to join the Cities for CEDAW campaign and adopt CEDAW friendly resolutions of their own.^{xxiv} New Orleans is to adopt its own CEDAW Ordinance; one of the most important aspects to keep in mind when developing a CEDAW Ordinance is the language of the document. The language must require the city to be proactive in addressing gender discrimination, allows for broad interpretation, and commits the city to eliminating gender discrimination, so that when issues arises involving discrimination it forces the city to follow through with action, even when leadership and priorities change.

3.2 MASSACHUSETTS

Massachusetts has implemented a statewide organization focused on the needs and concerns of women living in the state. The Massachusetts Commission on the Status of Women was created by the state legislature in May of 1998. The Commission on the Status of Women has the authority to study the status of women living in Massachusetts, advise leaders in public and private sectors about issues impacting women, and offer policy recommendations to legislators on a yearly basis. The information used in these briefs is gathered by nineteen individuals who have volunteered to serve on the committee.^{xxv}

As a way of promoting women throughout the state, the Commission on the Status of Women holds a yearly event called the Unsung Heroines of Massachusetts Celebration and Advocacy Day.^{xxvi} Events such as this aim to raise the profile of the organization and bolster support for women's empowerment efforts throughout the state. The commissioners are appointed to the Commission on the Status of Women by a variety of actors in the state government. These individuals include the Governor, the President of the Senate, the Speaker of the House and those serving in the Caucus of Women. Within the Massachusetts Commission on the Status of Women is a hierarchical structure^{xxvii}.

One of the most useful contributions of the Massachusetts Commission on the Status of Women is the handbook that they have constructed to encourage the creation of women's commissions throughout the country.

The Commission is funded as a line item in the yearly budget for the State of Massachusetts. Though the website for the Massachusetts Commission on the Status of Women does not thoroughly explain where their funding comes from and how it is allocated. However, the organization has created a detailed set of guidelines titled, "The Handbook for Developing a Women's Commission." This document provides interested parties with recommendations for setting budgets and receiving funding.

3.3 LOUISIANA

Louisiana has several different commissions that focus on women, the most notable being the Office of Women's Policy in Louisiana's Department of Children's and Family Services. The office exists to act as a liaison between state and federal government, the citizens, and non-profits on issues and policies regarding the needs and rights of women in Louisiana. Within this office there are two specific commissions: the domestic violence prevention commission and the women's policy and research commission. The members of these commissions are experts in their field regarding women's rights, and are appointed by the governor to serve over the course of his or her term in office.^{xxviii}

In Louisiana, RS: 46:2525 established the Women's Policy and Research Commission. This statute officially establishes the commission as part of the executive office, and outlines the basic duties and expectations of the commission. The main duties include: advising the governor on the specific issues that affect women in Louisiana, and offer possible solutions monitoring the current state of women's issues in Louisiana, and identifying trends that might negatively affect the health and wellbeing of women. Additionally, the statute mandates that the commission be required to submit a detailed annual report to the governor that addresses all of the aforementioned issues. Lastly, the statute clearly outlines the specific breakdown of the members of the commission.^{xxix}

In the 2014 report, the commission recommended that cities within Louisiana should take the initiative and develop their own women's commissions, and that the state government should publish a list, available to the public, sharing vacancies on boards and commissions, so that women have more access to this information and are encouraged to apply.^{xxx}

4. POLICY OPTIONS

4.1 STATUS QUO

- DESCRIPTION
 - This option would require the New Orleans City Council to make zero policy or departmental changes in regards to addressing gender equality within government. The current apparatus that the New Orleans local government uses to address issues of inequality and discrimination within the workforce and city is the Human Relations Commission Advisory Committee. The city would continue to rely on this organization to address the concerns of citizens, but would not make an apparatus that focuses specifically on the promotion of women.

- PROS
 - One of the most obvious benefits of maintaining the status quo is that it would not require monetary investment or adjustment by the city. Similarly, there would be no time diverted from current projects to insure the success of a new program.
 - 2016 is a presidential election year and one of the candidates has actively supported initiatives such as CEDAW and advocated for stronger measures to be taken to promote women in politics and society. By not taking any action or postponing action, there is a chance that change might be initiated anyway on the federal level.
- CONS
 - If the status quo is maintained, there will be no secure entity that specifically guarantees the promotion of gender equality within local government or is dedicated to eliminating discriminatory policy practices. This option maintains the risk that New Orleans government will not progress naturally on its own and local government will continue to misrepresent women in positions of power.

4.2 CEDAW ORDINANCE

- DESCRIPTION
 - This option would require the passage of a CEDAW Ordinance that would change the definition of discrimination to align with the UN's definition, outline specific rights of women, and establish guidelines requirements for gender analysis to be done within existing departments to uncover and end discriminatory practices. The gender analysis would require disaggregated data to be taken to uncover discriminatory practices and action plans to alleviate the issues uncovered. It would also require monitoring of the implementation of the action plan to ensure that the plan is actually being implemented and changes are being made that promote women and equality are being made within governmental departments. It would also require a committee of some sort to enforce the ordinance. This can be achieved by establishing a new committee dedicated solely to women's issues or by expanding the duties of an existing committee, for example New Orleans' existing Human Relations Commissions Advisory Committee.
- PROS
 - Passing an Ordinance creates permanent commitment to eliminating gender discrimination, and ensures that the city creates and follows through with action plans to eliminate gender discrimination
 - The gender analysis requires disaggregated data in such a wide variety of areas (i.e. race, disabilities, and immigration status), that the information gathered by the gender analysis will provide information that is not just useful to uncovering gender discrimination but also discrimination of other kinds, which will lead to the elimination of all sorts of discrimination within the governmental workforce.

- There are multiple resources to help cities establish CEDAW resolutions; San Francisco Department on the Status of Women and Cities for CEDAW have expressed willingness to help other cities form their own CEDAW Ordinance; so it should be fairly easy to draft an Ordinance tailored to New Orleans.
- Establishing an official Ordinance serves as a continuous reminder for legislators with appointment power and supervisors to think about diversity for each appointment.
- CONS
 - It requires continued monitoring of departments to insure that the principles of the CEDAW Ordinance within individual departments and to insure that departments who have undergone gender analyses and have found discriminatory practices follow their action plans and successfully promote gender equality within their departments.

4.3 ESTABLISHING A DEPARTMENT/COMMISSION FOR THE STATUS OF WOMEN

- DESCRIPTION
 - The city of New Orleans could create their own commission on the status of women, modeled after the commissions that we examined in this brief. The Massachusetts Commission on the Status of Women published the “Handbook for Developing Women’s Commissions” to serve as an aid for cities, counties, and states that are considering establishing their own women’s commissions. Should New Orleans City Council choose to establish their own women’s commission, we suggest that they read the document in full. However, there are a few things to consider before beginning.

There are two basic ways to go about establishing a women’s commission:

 1. Through an executive order, legislative order, or statute. The commissioners have final authority and staff reports to commissioners.
 2. The executive or legislative branch elects an executive director of the commission, who then acts as a final authority for the commission, while the commissioner’s act as advisors to the director.
 - One funding suggestion that the handbook offers is to form a non-profit. Since non-profits can obtain corporate funding due to their 501(c)(3) status, it can be helpful to establish a “Friends of the Commission” organization. This foundation would have a board of directors whose members would have a vested interest in the commission’s goals, and potentially have connections with people who would be interested in making financial contributions to the organization.^{xxx}

- PROS

- Establishing a women’s commission demonstrates the city’s vested interest in promoting women’s issues, and would ensure that these issues were examined in greater detail.
- A women’s commission would create a new area of government for in which women could get involved
- **CONS**
 - One of the challenges for this project will be finding consistent and adequate funding for the commission.

5. LIMITATIONS AND AREAS FOR FUTURE RESEARCH

Despite having contacted the Massachusetts Commission on the Status of Women we did not receive responses to our inquiries. Though Internet sources are easily accessible, speaking directly with representatives of the commissions would help bring a greater degree of clarity to our research.

Though we have found suggestions for how to receive funding from our case studies and various outside sources, we have not been able to identify an ideal scenario for channeling New Orleans City funds to a women’s commission. In order for the organization to produce meaningful results, there will need to be staff members, which can be costly depending on the size of the department. We spoke to the Director of San Francisco’s Department on the Status of Women to garner a more cohesive understanding on how much a CEDAW Ordinance cost, but she said that most of the cost lies in staffing and she was unable to separate the costs of the Ordinance from costs of maintaining a department.

It is important to note that many cities have made efforts to end discrimination in government and almost cities are utilizing the same tactics that we mentioned above, which suggest that these are the best practices when trying to establish an apparatus for women in government.

This brief mainly aimed to establish policy options that would allow for the promotion of gender equality within local government, but possible future research can include best practices for promoting gender equality within the private sector. On a national scale, women tend to be over represented in careers identified as “women’s work,” such as nursing and caretaker jobs, but under represented in professions such as police work and tech jobs. Further research can be done on how the government can promote gender diversity within different industries. Also further research can be done on how New Orleans can work to close the wage gap between men and women within the city, which would also promote the advancement of women in all aspects of society.

6. CONCLUSION

Establishing a department or commission that specifically focuses on women and girls or passing an Ordinance that highlights the important rights of women established by the Covenant on the Elimination of All Forms of Discrimination Against Women are both policy options that serve to promote the advancement of women and end gender discrimination within the government. These policies pave the way for future programs and initiatives that aim to promote women in government and society. More than half of the population of New Orleans is women, which should be reflected in the representation of women in government. These policies would ensure that New Orleans government takes the necessary steps in identifying which parts of the institution in which women are

underrepresented in and ensuring action that ends discrimination and promotes diversity. It is important to note that while these programs are feasible on their own, they are not mutually exclusive from one another. These programs complement one another and can be pursued together to ensure the elimination of gender discrimination, if the New Orleans government so chooses. These programs will hopefully create a system that leads to elimination of discrimination of all forms against women in local government and creates an institution that is reflectively representative of the constituents it works for.

7. ENDNOTES

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