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UnidosUS is a nonprofit, nonpartisan organization that serves as the nation's largest Hispanic civil rights and advocacy organization. Since 1968, we have challenged the social, economic, and political barriers that affect Latinos through our unique combination of expert research, advocacy, programs, and an [Affiliate Network](#) of nearly 300 community-based organizations across the United States and Puerto Rico. We believe in an America where economic, political, and social progress is a reality for all Latinos, and we collaborate across communities to achieve it.

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# Making Jobs Work for Latinas

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Over the past two decades, Latinas have become a significant and growing sector of the U.S. workforce. Despite decades of economic and social policy that pushes Latinas to the margins, Latinas are finding ways to build momentum toward economic prosperity.

But Latinas' ability to reap the full benefits of their substantial and ever-growing contributions to the economy is hindered by inadequate labor policies and a lack of basic workplace benefits—so that despite working so hard and so consistently, the value of work is often less for Latinos than for other groups. While a 2022 Bureau of Labor Statistics study found that benefits make up one-third of employee compensation packages,<sup>1</sup> nearly two-thirds of Latinos work in low-wage jobs that offer few or no benefits.<sup>2</sup>

As a result, the Latino community, on the whole, is enjoying very little of the resulting wealth from economic growth—despite being a driving force for growth. And because they live at the intersection of deep disparities driven by gender, race, and immigration status, Latinas, specifically, face a steep climb to economic security.

Persistent hurdles in the labor market, reflected in lower earned wages than their peers, higher unemployment levels, and other economic indicators, hamper Latinas' budding success in our economy. Instead, choosing to more fully support the efforts and earning potential of Latinas—who are an enormous driver of economic innovation and dynamism—will help both Latinas and our national economy. Below we make the fuller case for removing the impediments to success for Latinas and clearing the way for our shared prosperity.



In 2021, UnidosUS released *Closing the Latina Wealth Gap: Building an Inclusive Economic Recovery After COVID*, which documented the costs of the wealth gap for Latinas and how it drove greater hardships for Latinas during the pandemic. It highlighted economic challenges that must be addressed to improve Latinas' upward economic mobility, today and in the future. Specifically, it elevated the triple crises faced by Latinas during the COVID-19 pandemic: higher infection rates, economic losses, and family-work conflict. Together, the three crises hit Latinas hard, wiping out much of the economic progress made in the last few decades.

This report is the follow-up. It looks at leading and lagging indicators for Latinas in the workplace and tackles how work is not meeting the needs of determined Latinas across the country. It then presents critical policy solutions to improve the value of work for Latinas, support family-work balance, and ensure Latinas' growing momentum continues uninterrupted.

Taken together, these structural factors prevent too many Latinas from being able to save or build wealth and keep them from accessing entry points to wealth-building, such as homeownership or saving for retirement. The poor state of the workplace for Latinas has been shaped by policies that exclude the broader Latino community and by some policies that impact Latinas disproportionately. For this reason, the solution is to enact new policies that support better-quality jobs and thereby allow Latinas to reap the full benefits of employment.

## EXECUTIVE SUMMARY

### In general, work is not working for Latinas.

Latinas are no strangers to hard work. Across most of the key economic indicators—including rates of homeownership, labor force participation rate, and purchasing power—Latinas excel. Consider:

- **Latinas are primed to drive U.S. economic growth in the coming years.** By 2031, the number of Latinas in the workforce is expected to grow by approximately 26%. No other demographic group, including Latino men, is projected to grow by as much. Currently, Latinas total 12.6 million in the workforce, comprising about 16% of the female workforce in the country.
- **Latinas are driving the growth of U.S. entrepreneurship.** Latina entrepreneurs represent nearly half of all Latino businesses and create businesses six times faster than any other group in the United States. Since 2007, Latina-owned businesses have grown by 87%.
- **Latinas' participation in the labor market outpaces the national average.** Latinas are the only group of women with a growing labor force participation rate (LFPR). From 2010 to 2019, the Latina LFPR grew by 0.9. In comparison, the national LFPR *declined* by 1.6 points during the same period.
- **Latinas are at full employment.** In 2022, Latinas had an unemployment rate of 4.1: a level which is typically considered full employment, where every person who is able or willing to work is employed. Though still higher than the national unemployment rate, Latinas saw one of their lowest unemployment levels in recent decades.





Yet, structural factors do not allow Latinas to reap the full benefits of their economic potential. This report finds that:

- **A persistent wage gap undervalues Latinas' work.** Around half of Latina mothers are key breadwinners for their families. Yet, Latinas are typically paid just 57 cents for every dollar paid to white, non-Hispanic men. In the last three decades, the Latina wage gap has only shrunk by 5 cents. Relatedly, nearly 30% of Latina-led households live below the poverty level.
- **Latinas disproportionately lack access to job benefits.** For example, only 18% of Latinas have an employer-sponsored retirement account (in comparison to 71% of white men). In 2022, the Bureau of Labor Statistics found that benefits make up one-third of employee compensation packages. Thus, Latinas' lack of access to job benefits also has wealth-building implications.
- **Latinas are overrepresented in low-wage jobs with more unpredictable schedules and fewer workplace protections.** Though they make up only 19% of the U.S. population, Latinas make up 21% of childcare workers and 29.7% of service occupations. At the same time, 44% of U.S.-born Hispanic mothers and 53% of foreign-born Hispanic mothers have an irregular or non-standard work schedule. In general, Latinas are overrepresented in jobs with high incidences of labor violations by employers, like wage theft, including domestic care and agricultural work.
- **Latinas experience an unequal distribution of work.** Latinas spend a larger amount of time on domestic or work-related activities than Latino men, with this gender gap being the largest compared to their non-Hispanic counterparts. Latinas are often the first to leave the labor force to fill in for care gaps in households. Reduced time in the paid workforce can lead to fewer career advancement opportunities and the loss of long-term earnings.
- **Latinas are disproportionately excluded from public social welfare benefits** due to immigrant status, misinformation on eligibility, and the perceived consequences of accepting such support, or because their work offers unreliable and/or untraditional hours that complicate their eligibility for benefits.



## EXCLUDED BY DESIGN: HOW DECADES OF LABOR POLICY UNDERVALUE LATINAS' WORK

Historically, Latinos played a critical role in the success of the U.S. economy,<sup>3</sup> and today, they are a growing part of the workforce. Yet inequality, discrimination, a lack of social support, and racism largely mean that economic mobility remains sadly out-of-reach for many in the Latino community.<sup>4</sup> Many Latinos are trapped in a two-tiered employment system that devalues their work and reinforces existing disparities.<sup>5</sup> Specifically, as described just above, Latinos are overconcentrated in occupations characterized by low pay, fewer workplace protections, and less access to benefits.<sup>6</sup>

Much of this segmentation is a result of policy choices. In the 1930s, the Great Depression gave way to the New Deal, and legislation established core protections for workers that included wage floors, access to Social Security, and overtime protections. Unfortunately, these same laws and regulations also contained or created carve-outs for labor sectors that were and are disproportionately comprised of workers of color.

For example, the National Labor Relations Act—which guarantees the right of employees to organize, engage in collective bargaining, and take collective action—covers most private sector employees but excludes agricultural workers. Of course, both at the time of its enactment and today, the agricultural sector is held up by Latino migrant workers.<sup>7</sup> Similarly, the Social Security Act of 1935 excluded coverage for half the workers in the American economy, including agricultural and domestic workers.<sup>8</sup>

Finally, the Fair Labor Standards Act of 1938, which established a federal minimum wage and established overtime protections, excluded domestic and agricultural workers from these provisions. Though its provisions have been expanded and amended several times since its enactment, gaps remain that disproportionately leave workers of color, including Latinas, with inadequate workplace protections.<sup>9</sup>

The exclusions stitched into these critical policies impact Latino families today. A need for updated and improved workplace protection remains pressing, especially for the many Latina-headed families that depend on earnings and who work in occupations that remain left out of basic workplace programs, benefits, and safeguards.



## LATINAS’ STRONG LABOR PERFORMANCE COMPLICATED BY PERSISTENT BARRIERS

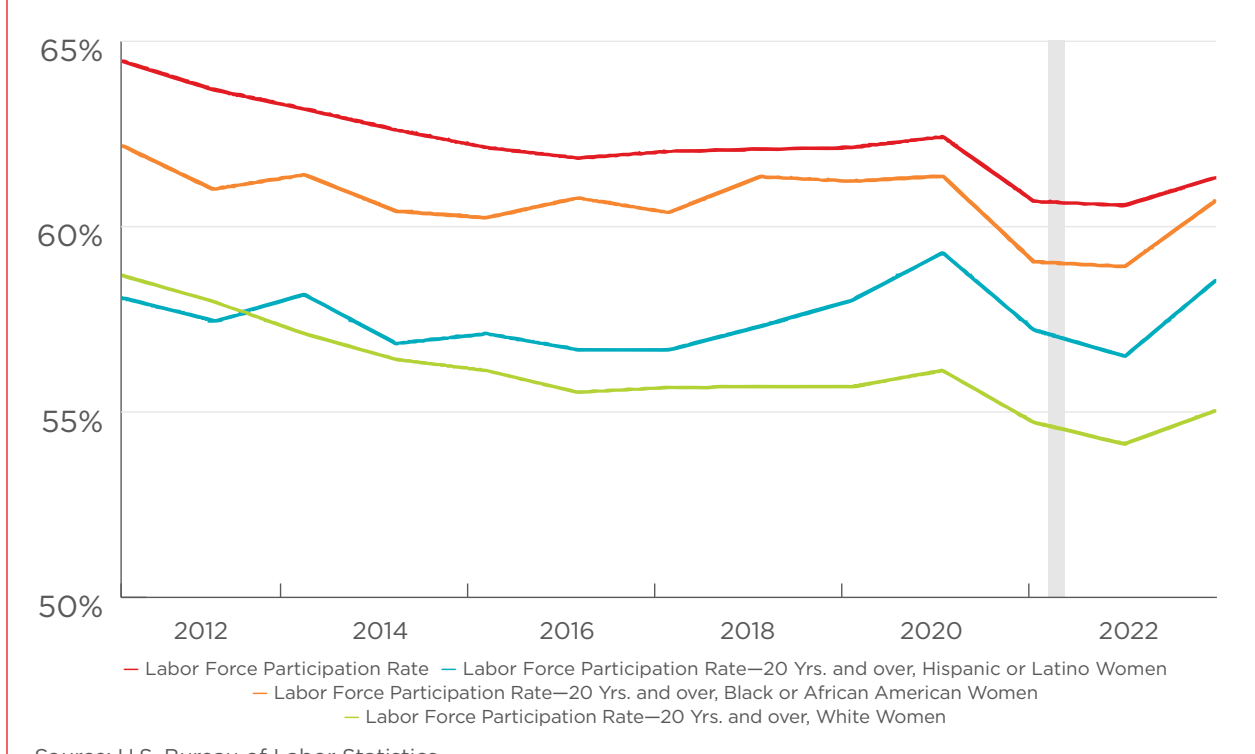
Latinas are primed to drive U.S. economic growth in the coming years. They are entering the workforce in record numbers that total 12.6 million and account for 16% of the female workforce in the country. And this is only growing: by 2031, the number of Latinas in the workforce is expected to grow by approximately 26%.<sup>10</sup> Notably, no other demographic group is projected to grow by as much.<sup>11</sup>

In the section below, we take a closer look at Latinas’ strong participation and performance in the labor market as well as persistent barriers that complicate their economic lives and ability to succeed.

Latinas demonstrably want to work. An enduring feature of the U.S. labor market, Latinas’ labor contributions have trended upward in the past decades. **Figure 1** shows Latinas’ labor force participation rate (LFPR), an estimate of the U.S.’ active workforce, rose from 59.5% in 2010 to its peak in 2019 at 63.1%. In comparison, the national rate declined from 64.7% to 63.1% over the same period.

**Figure 1:**

**Latinas’ Labor Force Participation Rate (2010–2022)**



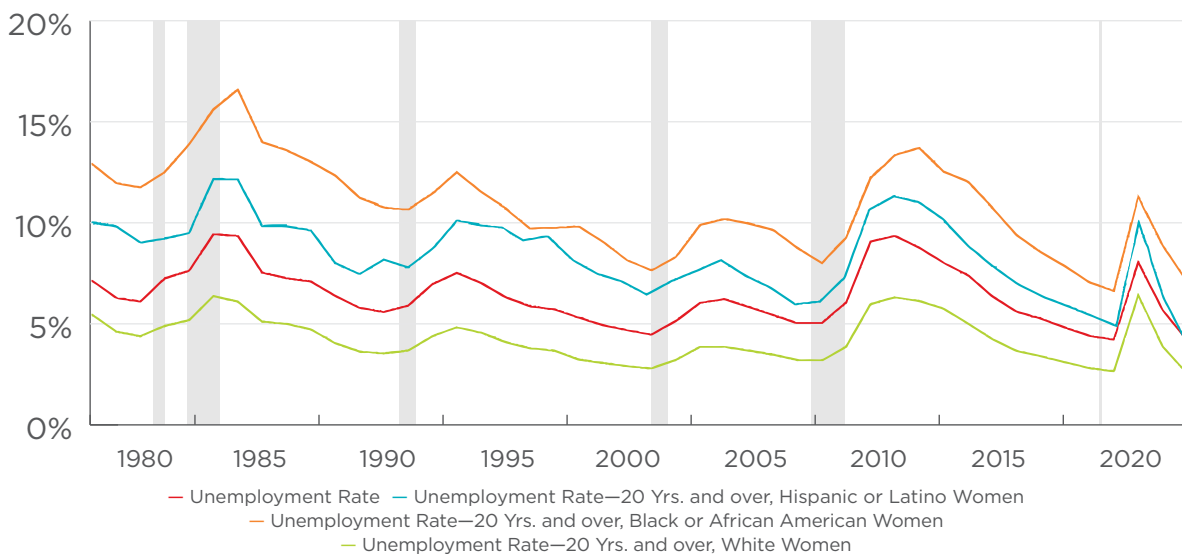
Latinas are the only group of women that grew their LFPR from 2010 to 2019. In comparison, white and Black women experienced a 2.1 and 0.7 decrease in their labor force participation rate, respectively (Table 1).

**Table 1: Change in Labor Force Participation Rate (LFPR) from 2010 to 2019**

Demographic	2010	2019	Difference in LFPR
National	64.7%	63.1%	-1.6
<b>Hispanic or Latino Women</b>	<b>59.5%</b>	<b>60.4%</b>	<b>0.9</b>
Black or African American Women	63.2%	62.5%	-0.7
White Women	60%	57.9%	-2.1

Latinas’ increasing participation in the labor market is accompanied by low unemployment levels. Since unemployment rates for Latinas started being collected in 1977, Latinas typically report higher unemployment rates than the national average (Figure 2). In contrast, white women see lower levels of unemployment than the country, even during times of economic contraction (as indicated by the grey bars).

**Figure 2: Unemployment Levels by Gender, Race and Ethnicity (1977–2022)**



Source: U.S. Bureau of Labor Statistics

And though this remains true, with Latinas having a higher unemployment level than the national rate and that of white women, Latinas are at full employment. In 2022, Latinas had an unemployment rate of 4.1 compared to the national unemployment rate of 3.6.<sup>12</sup> In the same year, Black and white women had an unemployment rate of 5.6 and 2.9, respectively.<sup>13</sup>

In other words, Latina women who are able and willing to work are virtually all employed.

**MAKING LEMONADE:****Poor Job Opportunities Pull Latinas Towards Entrepreneurship**

Latinas turn to entrepreneurship for upward mobility at higher rates than most groups. A 2020 Stanford Latino Entrepreneurship Initiative report found that Latinas are more likely to turn to entrepreneurship because of poor job opportunities rather than for profit-seeking.<sup>14</sup> Approximately 50% of Latinas chose entrepreneurship because of the need for flexible hours, and 49% of Latinas wanted an improved work/life balance.<sup>15</sup> Starting a business is also seen as a tool to build intergenerational wealth: Latino business owners are more likely to build a business with the primary goal of passing it down to their families.<sup>16</sup>

Though Latinas are driving the growth of U.S. entrepreneurship, they are hit harder than others in times of economic contractions. The COVID-19 pandemic hit Latinas especially hard. Four in ten Latinas reported a large negative impact on their business was caused by the pandemic compared to 37% of businesses owned by white women, 32% of Latinos, and 31% of white males.<sup>17</sup> And only one in 10 Latina-owned businesses had enough cash on hand to survive beyond six months during the pandemic.<sup>18</sup>

Twice as many Latina-owned businesses closed during the pandemic (30%) compared to 16% of Hispanic male-owned businesses.<sup>19</sup> (Fewer white female-owned businesses (23%) and white male-owned businesses (18%) also closed down.<sup>20</sup>) In 2021, 56% of Latina entrepreneurs with an incorporated business reported the businesses had not yet recovered from the pandemic, and just 19% reported having a rainy-day fund.<sup>21</sup>



Around half of Latina mothers are key breadwinners for their families.<sup>22</sup> Yet Latinas are typically paid just 57 cents for every dollar paid to white, non-Hispanic men.<sup>23</sup> In some states, the wage gap can extend to a meager 44 cents for every dollar paid to white, non-Hispanic men.<sup>24</sup>

Latinas are also required to contend with the largest wage gap among women in the United States. Overall, all women are typically paid 77 cents for every dollar paid to men.<sup>25</sup> In all, the Latina wage gap costs them \$26,454 per year. Over the past 30 years, Latinas have consistently earned less than 60 cents for every dollar earned by non-Hispanic white men. In the last three decades, the Latina wage gap has only shrunk by five cents.<sup>26</sup>



If the Latina wage gap were eliminated, on average, a Latina woman would have enough money to afford major investments in her and her family's well-being and financial stability.

**With earnings lost to the wage gap, a Latina could pay for the following:**

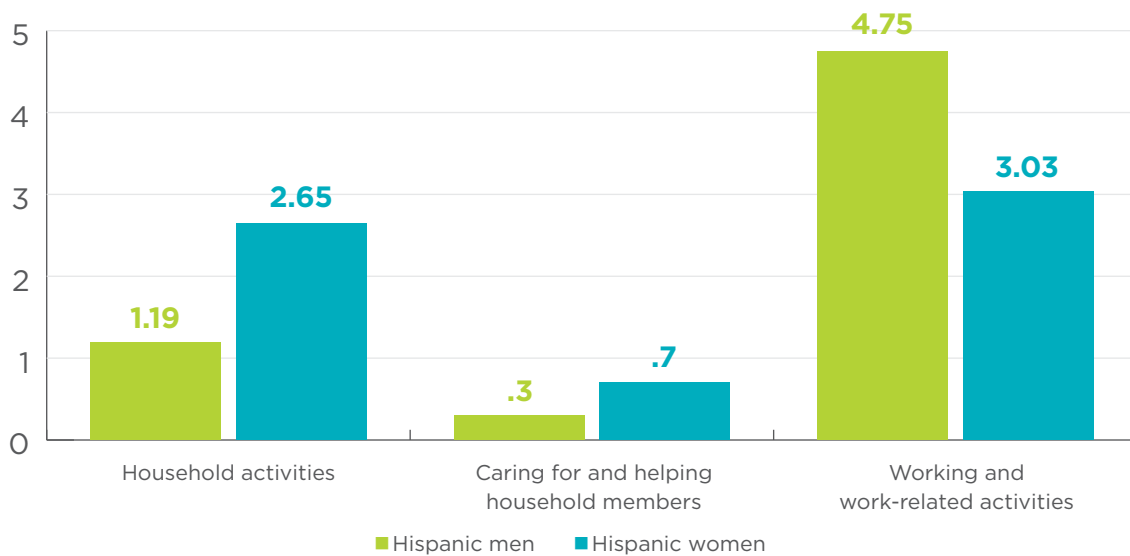
- 33 months of childcare.<sup>27</sup>
- 16 months of mortgage payments.<sup>28</sup>
- 2 years of rent.<sup>29</sup>
- 17 monthly premiums for employer-provided health insurance.<sup>30</sup>
- One year of student loan payments.<sup>31</sup>

Latinas' place in the labor market is also complicated by the extent to which they do unpaid household and care-related work. In the United States, women generally spend more time than men contributing to unpaid household and care work.<sup>32</sup> More so than other groups, Latinas must balance employment and responsibilities at home. Latinas spend more time on domestic or work-related activities than Latinos. Compared to their non-Hispanic counterparts, Latinas and Latinos see the largest gap between daily hours spent in household activities.<sup>33</sup> A 2014 Pew survey on parenthood found that 38% of Hispanic mothers reported staying at home compared to 29% of all U.S. mothers.<sup>34</sup>

Country of origin also seems to play a role in the amount of time that a Hispanic mother stays at home. Forty-four percent of foreign-born Latina mothers were more likely to stay at home compared to 29% of native-born Latina mothers.<sup>35</sup> This is partly explained by differing views stemming from cultural differences. In general, Latinos are more likely than non-Latinos to believe children are better off when a parent stays home to focus on the family. And foreign-born Latinos are much more likely than all Hispanics to believe children are better off with at least one parent staying home.<sup>36</sup>



**Figure 3:**  
Average Daily Hours Spent in Activities by Latinas and Latinos



Latinas spend 1.46 hours more on household activities than Latino men, 0.40 more hours caring for and helping household members, and 1.72 less hours working. In comparison, white men and women experience a 0.84-hour gap in household activities, a 0.3-hour gap in caring for and helping household members, and a 1.36-hour gap working, with white women spending less time at work than men. A 2018 survey showed that Latinas report spending 7.2 hours on unpaid work.<sup>37</sup> This includes time on household and care-related tasks, like childcare and elder care.

This unequal distribution of work limits Latinas’ economic opportunities. Given the high documented cost of professional caregiving and women’s lower earnings, Latinas often are the ones to step up in times of economic uncertainty, leaving the labor force to fill in for care gaps in their households. Yet their reduced time in the paid workforce can lead to fewer career advancement opportunities and the loss of long-term earnings.<sup>38</sup>



### COVID-19 Pandemic Walked Back Latinas' Progress

The economic downturn associated with the COVID-19 pandemic hit Latinos especially hard. For Hispanic women, it created more instability in the workforce and the economy. Latinas were among the first workers to lose jobs at the start of the economic crisis.

Their large presence in labor sectors that were hit hardest by the pandemic caused Latinas' labor force participation rate to plummet. From March 2020 to May 2020, Latinas saw the highest drop in LFPR out of all demographic groups, plunging from 61% to 56.4%. This was largely driven by tremendous job loss in the leisure and hospitality sector. Over the same period, almost half of Latinas (43.5%), or close to 700,000, working in leisure and hospitality lost their jobs.<sup>39</sup> And in April 2020, 20.2% of Latinas were unemployed, which was the highest unemployment rate of all demographic groups.<sup>40</sup>

By the end of 2020, Latinas had not rebounded. By December 2020, 9.1% of Latinas were unemployed, compared to 5.6% of white women and 8.4% of Black women.<sup>41</sup> And even two years later, Latinas' labor force participation rate is still lower than it was before the pandemic. Notably, the pandemic's toll on Latinas' employment rate persisted across all educational attainment levels.<sup>42</sup>

During the pandemic, Latinas also dropped out of the workforce at higher rates than Latino men, primarily due to increased childcare needs. As schools closed, the primary responsibility for providing childcare in Latino households fell on women. Three-quarters of Latina mothers reported an increase in family responsibility, and 46% of Latina citizens and 32% of Latina non-citizens quit their jobs or reduced their hours during the pandemic.<sup>43</sup>

Latinas' emergency savings were also wiped out. The increased costs, combined with unemployment related to the pandemic, forced many Latinas to dip into their emergency savings. In 2021, half of Latinas reported they had less than \$500 saved for emergencies. For Latinas who did have savings, nearly half spent it all to address needs that arose during the pandemic.<sup>44</sup>



## INCREASING THE VALUE OF WORK FOR LATINAS AND UNLEASHING THEIR FULL ECONOMIC POTENTIAL

Latinas show a strong desire and need to work, emerging as a powerful force in the U.S. economy. Yet their ascent in the labor market is slowed by barriers prevalent in occupations where Latinas are over-concentrated.

For most U.S. workers, traditional employment is the nexus to critical benefits needed to live and build wealth in the U.S., like health insurance and retirement accounts. While a 2022 Bureau of Labor Statistics analysis of employer costs related to employee compensation found that benefits make up one-third of employee compensation packages,<sup>45</sup> nearly two-thirds of Latinas work in low-wage jobs that offer few or no benefits.<sup>46</sup>

### Addressing Low-Wages, Unpredictable Schedules, and Poor Workplace Protections to Improve Latinas' Economic Prospects and Ability to Thrive

Latinas' overconcentration in jobs with low wages, poor workplace protections, and unpredictable schedules leaves them vulnerable to economic downturns, further entrenching wealth inequality and diminishing the great strides Latinas are making in the labor market. Stratification of Latinas in specific labor sectors is a form of occupational segregation.<sup>47</sup> Such segregation leaves Latinas extremely vulnerable to low wages, poor workplace conditions, and unpredictable scheduling.

According to a Center for American Progress analysis, Latinas make up, at most, just 3.4% of any of the top 10 highest-paying occupations such as physicians, lawyers, and financial and investment analysis.<sup>48</sup> **In contrast, Latinas have a disproportionately higher representation in the lowest-paying occupations in the United States.**



For example, Latinas make up 21% of childcare workers though they are only 19% of the U.S. population. According to the U.S. Bureau of Labor Statistics (BLS), a childcare worker in the U.S. makes \$13.31 an hour on average and earns less than \$28,000 annually.<sup>49</sup> Latinas are also overrepresented in service-related occupations, where they make up 29.7% of the labor force, compared to 19.6% of all U.S. women.<sup>50</sup>

**Compared to all other demographic groups, Latinas are the least likely to be able to vary the times they begin and stop working.** A 2018 BLS survey found that only 50% of Latinos were likely to have a flexible work schedule, compared to 57% of white workers, 55% of Black workers, and 55% of Asian workers.<sup>51</sup> And only 16% are able to work at home, compared to 39% of white workers, 19% of Black workers, and 37% of Asian workers.<sup>52</sup> Workers employed in industries in which Latino workers are overrepresented in, such as leisure and hospitality, transportation and utilities, or wholesale and retail trade, are more likely to work a non-daytime schedule than workers in other industries.<sup>53</sup>

**A report by the National Research Center on Hispanic Children and Families also found that 44% of U.S.-born Hispanic mothers and 53% of foreign-born Hispanic mothers had an irregular or nonstandard work schedule.**<sup>54</sup> Additionally, approximately 40% of Latino workers know their schedule only two weeks or less in advance, with 23% of Latino workers only having one week's notice.<sup>55</sup>

Research shows that workers with unpredictable and inflexible work schedules have a harder time finding childcare and must rely on a “patchwork of childcare providers.”<sup>56</sup> This can exact a toll on their children, as inconsistency around childcare arrangements is linked to declining mental well-being and development.<sup>57</sup>

**For Latinas, a lack of workplace flexibility and irregular hours both generates and stems from existing economic disparities.** Emerging research shows a growing practice of “just-in-time” scheduling in labor sectors in which Latinas are overrepresented. A just-in-time scheduling approach is when employers try to reduce labor costs by effectively scheduling workers’ time on- a demand basis. For employees, this can mean that they are scheduled to work only to be sent home once they show up, are sent home before their shift ends, or are expected to work beyond their shift.<sup>58</sup>

Just-in-time scheduling practices are most common in sectors like retail, leisure and hospitality, and restaurants—all sectors in which Latinas are overrepresented.<sup>59</sup> The 2021 Federal Reserve’s Report on the Economic Well-Being of U.S. Households found that 27% of workers with a schedule that varied said they were either “just getting by or finding it difficult to get by.”<sup>60</sup> Latinas that work with employers who use just-in-time scheduling face uncertainty over their weekly earnings, making it harder to budget and save. At the same time, wealth disparities leave Latinas with a smaller cash cushion to buffer any income shortages.



**Poor workplace conditions and widespread labor violations also diminish Latinas' chances of fruitful employment.** As described above, U.S. employment laws and rules carved out exceptions for sectors in which Latinas were likely to be employed. Although Latinas demonstrate a consistent desire and ability to work, they remain one of the least protected groups in the country.<sup>61</sup>

An obvious example is the exception that the Occupational Safety and Health Act (OSHA) makes for workers in private households, such as maids, caretakers, and gardeners.<sup>62</sup> And though the 1938 Fair Labor Standards Act has expanded to protect domestic care workers more broadly, live-in domestic service workers are still not covered by the overtime pay requirement.<sup>63</sup>



Latinas are overrepresented in such jobs. **Almost one-third (26.60%) of all domestic care workers in the U.S. are Latinas.**<sup>64</sup> Furthermore, the top two domestic care occupations for Latinas are house cleaners (59.38%) and nannies (20.53%).<sup>65</sup>

Latinas are, therefore, more susceptible to labor violations such as wage theft (e.g., minimum wage violations, tipped minimum wage violations, overtime violations, and employee misclassification violations). These violations are the highest for workers in private households, food services, and agriculture—all occupations dominated by Latinos and Latinas. **Research shows that workers who experience wage theft are more likely to be women, to be nonwhite or Hispanic, and to have less education.** Undocumented women experience the highest rate of minimum wage violations of all demographic groups.<sup>66</sup>



And Latinas share the general vulnerability of all low-income workers to violations of wage and hour standards. An Economic Policy Institute report found that “in general, low-wage workers experience minimum wage violations across demographic categories.”<sup>67</sup> Wage violations are also more common during times of economic downturn. The Great Recession of 2008 saw incidences of wage theft rise alongside the unemployment rate.<sup>68</sup> At the end of 2020, the U.S. Department of Labor recovered over \$257 million in back wages for over 229,000 employees or \$1,121 per employee.<sup>69</sup>

### *A Fair Wage for Latinas to Match Their Strong Economic Contributions*

Although the cost of living has skyrocketed in the U.S., Congress has not raised the federal minimum wage set at \$7.25 an hour since 2009.<sup>70</sup> For tipped employees, the federal minimum hourly wage is set at a meager \$2.13—a fixed amount since 2003.<sup>71</sup> Many hardworking families struggle to cover the rising costs of living. Employees who earn minimum wage tend to be in sectors that fluctuate the most with economic cycles, leaving them with less income in economic crisis.

An unfair minimum wage disproportionately affects Latinas, who are concentrated in low-wage jobs. **For Latinas, who represent 24% of tipped employees, fluctuations in income due to reliance on tipping can make it more likely that they will be pushed into poverty.**<sup>72</sup> The following policy steps are essential to creating a more equitable working environment in terms of compensation—we should:

- **Raise the federal minimum wage to a living wage.** A fair living wage will allow Latinas to move beyond making ends meet. For example, a living wage would help them to build savings, buy a home, or to achieve financial stability. In 2019, an increase to the federal minimum wage to \$15 would have benefitted 9.3 million Latino workers.<sup>73</sup> And 4.6 million Latinas would have received a boost in their wages.<sup>74</sup>
- **Adjust the federal minimum wage each year to keep pace with the rising cost of living.** This policy, known as “indexing,” is already used by 18 states and the District of Columbia to prevent the minimum wage from falling in value each year.<sup>75</sup> Inflation can hurt low-income families the most, including Latino families.<sup>76</sup> Tying the federal minimum wage to inflation gives families a chance to cover basic living expenses and make ends meet.
- **Gradually raise the federal minimum wage for tipped workers to equal the minimum wage.** The tipped minimum wage would be phased out and then adjusted each year to keep pace with the rising cost of living. The tipped minimum wage is a large source of the Latina pay gap. Latinas are more likely than Latino men to work for tips and are nearly twice as likely to work for tips as white, non-Hispanic men.<sup>77</sup> A 2019 Center for American Progress analysis shows tipped Latina workers earn 65% less than nontipped, white male workers.<sup>78</sup>

As the country looks to strengthen its economy, Latinas must be fairly compensated for their economic contributions. As catalysts of U.S. economic growth, a fair wage that lifts Latinas up to economic security is beneficial for the Latino community and the country.



### *Improving Latinas' Work Experience through Fair Scheduling Practices and Workplace Protections*

Latinas cannot thrive if the labor markets in which they predominate remain unpredictable and lacking in core protections and benefits. **There is currently no federal legislation that would address problematic scheduling practices that are prevalent across many of the job sectors in which Latinas are overrepresented.**

In the absence of federal uniformity, states have taken the lead in implementing fair scheduling legislation. This relatively new body of legislation has yielded promising results thus far in places like Seattle, Washington, and Emeryville, California. For example, Seattle's 2017 Secure Scheduling Ordinance (SSO) has more than doubled workers' reported receipt of predictable pay for schedule changes.<sup>79</sup> And Emeryville's Fair Workweek Ordinance is shown to reduce instances of schedule unpredictability and last-minute schedule changes.<sup>80</sup> In New York City, its 2017 fair workweek law is estimated to benefit approximately 265,000 retail workers and 62,000 fast-food workers.<sup>81</sup>

#### **To address these widespread barriers for Latinas, we should:**

- **Enact legislation like the Paycheck Fairness Act** to make it harder for employers to engage in sex-based wage discrimination. Legislation like this can prohibit employers from forbidding their workers from discussing wages and institute data collection that will help inform future enforcement efforts and fully fund federal agencies that investigate and enforce fair pay laws.
- **Enact fair scheduling practices requirements and laws** based on existing laws and best practices from municipalities and states.
- **Expand coverage of key labor and workplace protections** to include excluded groups, including domestic and agricultural workers.
- **Empower Latino workers by increasing funding for the U.S. Department of Labor's Wage and Hour Division**, which helps enforce basic minimum wage and overtime pay standards. Every year, employer violations of wage and overtime obligations, poor record-keeping, and other abuses result in the financial setback of millions of U.S. workers. Latinos are overrepresented in low-wage jobs, more likely to be victims of wage discrepancies, and more apt than other racial and ethnic groups to work in dangerous environments.

### *A Strong Earned Income Tax Credit Can Lift Working Families Out of Poverty*

The Earned Income Tax Credit (EITC) is one of the most effective policy tools for lifting working families and individuals out of poverty. Even before the expansion under the ARPA, the EITC was responsible for lifting approximately 5.6 million people out of poverty, including 3 million children in 2018.<sup>82</sup> However, the EITC leaves behind workers who are not raising children, providing only a small number of them with a very small credit, and excludes workers under the age of 25.



### The American Rescue Plan Act (ARP) provided a one-time fix for 2021 by:

- Raising the maximum EITC for workers without children from around \$540 to around \$1,500.
- Raising the income cap for these adults to qualify from about \$16,000 to at least \$21,000; and
- Expanding the age range of eligible workers without children to include younger adults aged 19-24 (excluding students under 24 who are attending school at least part-time), as well as people aged 65 and over.

These changes had a particularly strong positive impact on those working in jobs where Latinas are overrepresented, such as maids, cashiers, customer service representatives, administrative assistants, janitors, and retail salespeople.<sup>83</sup>

Congress should make the EITC expansions in the ARP Act permanent beyond 2022 or revisit the issue in 2025 when the next tax reform proposal is likely. Current law excludes over 17 million low-wage workers from the EITC, including 5.8 million people who are taxed deeper into poverty largely because their EITC is too low.<sup>84</sup> Combined, the following changes to the law would benefit those 17 million workers, including an estimated 4 million Latinos:<sup>85</sup>

- **Raising the maximum EITC** for workers without children from roughly \$540 to roughly \$1,500.
- **Raising the income cap** for workers without children to qualify for the EITC from about \$16,000 to at least \$21,000.
- **Expanding the age range** for eligible workers without children to include younger adults aged 19-24 who are not full-time students, as well as people aged 65 and over. Reducing the EITC age eligibility requirement for childless tax fillers to 19 would deliver about \$1.3 billion in benefits to 3.5 million workers, and eliminating the older age limit would deliver an additional \$1.0 billion in benefits to nearly 2.8 million workers aged 65 and older.<sup>86</sup>



### A Lack of Access to Paid Leave Pushes Latinas Out of the Workforce

A 2020 Center for American Progress report found that working families in the United States lose \$20.6 billion in wages each year because they lack access to paid family and medical leave.<sup>87</sup> And **Latinos are the least likely of any racial or ethnic group to have access to paid family leave through their employer, with only 25.1% of Latinos reporting access to paid parental leave, compared to 49.7% of whites.**<sup>88</sup> Moreover, only 52% of workers in the leisure and hospital sector—a sector in which approximately 25% of workers are Latino—have access to paid family leave.<sup>89</sup>

Federal law under the Family Medical Leave Act of 1993 (FMLA) requires employers to provide up to 12 weeks of guaranteed unpaid, job-protected leave for eligible workers who need time off from work to care for their own illness, care for a new child, or to care for a seriously ill family member.<sup>90</sup> But, a large percentage of workers are ineligible for the FMLA's protections. **Only 30.1% of Latino workers with low wages are eligible for FMLA, compared to 56% of all U.S. employees.**<sup>91</sup>

The lower wages typically earned by Latinas complicate Latinas' take-up of FMLA even when they are eligible. The Heller School for Social Policy and Management at Brandeis University estimates that of 54% of working parents eligible for FMLA leave, only 34% of parents can *afford* to take unpaid leave.<sup>92</sup>

For Latinos, the percentage of those who can afford to take leave dwindles to 26%. **Yet Latino children represent approximately 25% of the U.S. population of children, and Latinos are the only group in which a majority of households have children.**<sup>93</sup> When these children are born, their families are likely to lack access to supports, like paid leave, that are essential to caring for a new infant, and if these children become seriously ill, their parents may struggle to provide care if it means an absence from work.

**A lack of paid sick leave creates another serious barrier for Latinas.** Latinas disproportionately work in occupations in which employers fail to provide paid sick days. More than half of Latinos—including 55% of men and 51% of women—are unable to earn a single paid sick day through their jobs.<sup>94</sup> As a result, Latinas often must choose between making ends meet or taking care of themselves or a loved one. A 2018 national survey conducted by the Young Women’s Christian Association (YWCA) found that 38% of Latinas are very worried about having access to paid family and medical and paid sick days.<sup>95</sup>

For many Latino families, not showing up to work due to illness means risking getting fired. One in four Latino adults report having lost a job or being told they would lose a job for taking time off due to illness or to care for a sickly family member.<sup>96</sup>

More than 20% of Latinos serve as caregivers to an adult family member or someone close to them, and on average, Latino caregivers spend about 40% more time providing care than do white caregivers.<sup>97</sup> Access to paid family and medical leave alongside paid sick days is essential to help Latinas balance their family responsibilities without straining the family’s finances.

### *Universal Paid Leave Can Keep Latinas in the Workforce*

The United States is one of six countries in the world that lacks any form of national paid leave.<sup>98</sup> This leaves millions of U.S. workers unable to take paid time off from work to address a serious health condition, like pregnancy, to care for a family member with a serious health condition, or to care for a newborn child.

**Before the pandemic, 93% of workers in the bottom quarter of wage earners and 94% of part-time workers had no access to paid family leave.**<sup>99</sup> In March 2020, Congress passed the Families First Coronavirus Response Act (FFCRA) to give workers a right up to 10 paid sick days and up to 12 weeks of family leave, of which 10 weeks would be paid. But these provisions expired on December 31, 2020.<sup>100</sup>

The 2021 Consolidated Appropriations Act extended employer tax credits to incentivize businesses to continue paying for paid leave through the end of March 2021, but made this voluntary, rather than an employee’s right. The American Rescue Plan Act (ARPA) (enacted in 2021) extended this voluntary program through September 30, 2021, and eliminated the requirement that the first two weeks of family leave be unpaid.



President Biden and several members of Congress have proposed plans and legislation, such as the Building an Economy for Families Act or the Family and Medical Insurance Leave (FAMILY) Act, to create a national comprehensive paid family and medical leave program.<sup>101</sup> For a paid family and medical leave program to be proportionately inclusive of Latinos, any such plan should include, at a minimum, the following provisions:

- **Meaningful wage replacement.** A leave program is only truly accessible for low-wage workers if the paid leave program provides sufficient wage replacement. Congress should implement a tiered system for wage replacements of *at least* 85% of regular pay for low-wage workers and scale down to highest-paid workers who would receive between 5 to 75% of their wages. Inadequate wage replacement has the potential to exclude Latinos from the program.
- **At least 12 weeks of paid family and medical leave.** This includes time for workers' own health care, including pregnancy and childbirth recovery; to care for the serious health condition of a child, parent, spouse or domestic partner; for the birth or adoption of a child; to find safety from sexual assault, stalking, or domestic violence; and/or for leave related to a family member's military deployment. Twelve weeks makes a national paid leave policy more like many on the global stage, but it still would be far less generous than the leave offered in many developed nations around the world.
- **Coverage for all workers.** To have a cohesive and inclusive plan, a national paid leave program should cover all workers—whether they are self-employed, gig workers, tenure, and for any size of the employer. Paid leave is linked to reduced turnover, increased employee engagement and loyalty, and employer cost savings across businesses of all sizes, including small businesses.<sup>102</sup>
- **A universal definition of family.** This defines a family member as a spouse, domestic partner, parent, guardian, child, sibling, grandparent, grandchild, in-law, and any other association by blood or affinity that is equivalent to a family relationship. Narrow definitions of family often harm people of color, who are statistically more likely to live in multigenerational homes.<sup>103</sup>

A national paid family and medical leave policy would help to address the most formidable barriers that keep Latinas out of the labor market by providing all workers access to paid family leave, including in industries where Latinas are overrepresented and do not typically offer paid leave.





### *Sin un Pueblo: Latina Breadwinners Need Affordable Childcare to Succeed*

Caregiving often complicates a mother's ability to work and can lead to financial hardship for low-income families with young children. Access to affordable, dependable childcare is essential to boosting labor participation for working mothers, eliminating barriers to career advancement, and fostering economic security. But childcare in the U.S. is expensive, unreliable, and can be hard to find for many.

Over the past two decades, the cost of childcare has more than doubled.<sup>104</sup> At the same time, wages have remained mostly stagnant.<sup>105</sup> Working families in the United States lose \$8.3 billion in wages annually because of a lack of childcare—sometimes because parents are forced to leave their jobs or reduce their work hours because they cannot access childcare.<sup>106</sup> And in general, women who took only one year off work decreased their total earnings by 40% compared to women who did not take time off.<sup>107</sup>

Although a large number of Latina mothers are breadwinners for their families, they also continue to shoulder most of the caregiving responsibilities at home. Working Latina mothers who look for childcare have two main options: home-based care provided by family, friends, acquaintances in the child's home or in another residence, and center-based care provided by licensed professionals in a non-residential setting. In reality, the prohibitive costs and current structure of center-based care leave Latino families with little choice. In general, Latino families, regardless of immigration status, are less likely than white or Black families to use center-based care.<sup>108</sup>

Immigrant mothers face even fewer options. Research finds that the children of parents born outside of the United States are less likely to be enrolled in center-based care than children of non-Hispanic families and even children of Latino families. This gap can be explained partly by a lack of accessible information in parents' native language about the American childcare system, the proximity and flexibility of available care, and affordability.

**Because Latinas are disproportionately employed in jobs with unpredictable or inflexible hours, this complicates their family’s access to quality childcare.** Formal childcare providers do not generally offer care during non-traditional hours (such as nights and weekends), which can make it difficult for Latino families to make arrangements that correspond with their less conventional work schedules.<sup>109</sup>

While some government programs offer affordable childcare for low-income parents, such assistance varies from state to state, and current federal investments are inadequate to meet the need. For example, the Child Care and Development Block Grant (CCDBG) is the primary source of federal funding for childcare subsidies for low-income families.<sup>110</sup> However, **just 8% of eligible Latino children are served by the CCDBG.**<sup>111</sup> Some of the eligibility barriers that may uniquely impact Latino families include burdensome and unnecessary requirements by the state, lack of linguistically and culturally competent resources, and inflexible availability of childcare hours, among others.



### **Affordable and Accessible Childcare Can Ease Latinas’ Work and Family Conflict**

In addition to policies that are directly work-related, the creation of a national system for affordable and accessible childcare would greatly increase Latinas’ earning potential by eliminating obstacles to full-time employment with higher pay and benefits.

The COVID-relief packages included in the CARES Act, 2021 Consolidated Appropriations, and ARPA provided \$52.5 billion to stabilize the childcare industry—an industry hit hard by the pandemic—and provide affordable childcare to families with essential workers. The three bills also provided \$2 billion toward Head Start to support the program’s continued delivery of early childhood development services for at-risk children and their families.

Nonetheless, the federal government still must make sustained, long-term investments in the childcare institutions to boost affordability and promote economic stability, creating much greater economic opportunity for Latinas. Congress should adopt policies to provide affordable and accessible universal childcare for all families, such as the provisions proposed in the Childcare for Every Community Act, which include:<sup>112</sup>

- **\$700 billion over 10 years** in direct spending for long-term, structural investments in universal, affordable, and high-quality childcare.
- **Free access to childcare for the most hard-pressed working families.** Families earning less than 200% of the federal poverty level should be able to access fully subsidized childcare.
- **Universal Access:** Every family, regardless of their income, employment, or immigration status, should be able to access high-quality, affordable childcare for their children from ages 0–13. A mandatory federal investment to establish and support locally-run childcare centers could ensure all families have access to high-quality, affordable childcare.
- **Worker’s compensation and professional development for childcare workers.** Latinas are overrepresented in the childcare sector, in low-wage jobs with few paths for advancement. The minimum hourly wage of childcare workers should be set to a living wage tied to the cost of living. However, we recognize the skills and responsibilities of childcare workers should be valued beyond minimum wage. Workers should also receive training and professional development opportunities.
- **Restrict the use of non-compete clauses.** Although commonly used in high-level executive positions, the use of non-compete clauses has become more prevalent in low-wage roles, especially in the childcare industry. The use of non-compete clauses stifles wages, competition, and worker mobility—effectively diminishing workers’ bargaining power and ballooning already unaffordable childcare prices.<sup>113</sup>

### *A Refundable and Expanded Child Tax Credit Is a Sustainable Investment for Latinas’ Economic Well-Being*

The Child Tax Credit (CTC) is critical to ensuring that Latina-headed households with children have the resources to make ends meet and do not fall further behind economically. The CTC is also important for Hispanic children, who comprise roughly 26% of U.S. children but account for 41% of all children living in poverty.<sup>114</sup> Reducing Hispanic child poverty is essential to reducing U.S. child poverty overall.

**However, the effectiveness of the CTC at reducing Hispanic child poverty has been limited due to its design.** Since 2018, children have been required to have a Social Security number (SSN) to qualify, a change made by the 2017 Tax Cuts and Jobs Act (TCJA) that denied roughly one million children, most of them Hispanic immigrant children, from being able to qualify for the CTC.

Before 2021, the CTC was not refundable, resulting in an income test that resulted in families in the lowest income quartile receiving an average of \$1,600 less in total child credits than middle-income families.<sup>115</sup> The American Rescue Plan Act (ARP) provided a temporary fix to this design by making the credit available to the most vulnerable families. These improvements to the CTC are estimated to reduce the Hispanic poverty rate in the tax year 2021 by more than ten percentage points by:

- Making the credit fully refundable to all eligible families without a minimum income limit.
- Increasing the maximum CTC from \$2,000 to \$3,000 if the child is between 6–17 or \$3,600 if the child is between 0–5.
- Providing advance monthly payments beginning in July 2021 through December 2021, also known as the Advance CTC payments; and
- Increasing the eligible child age from 16 to 17.

This temporary fix can be translated into a more sustainable investment in the economic security of families, including Latina-led families with children. To ensure sustained success at reducing child poverty, Congress and the administration should:

- **Make the CTC changes in the American Rescue Plan Act permanent.** This would advance gender equity by reducing financial hardships due to racial and gender barriers for an estimated 3.4 million Hispanic women who have struggled financially during the pandemic.<sup>116</sup> Before ARPA, roughly 70% of children in single, female-headed households did not receive the full credit despite higher poverty rates.<sup>117</sup>
- **Restore CTC eligibility for children without Social Security numbers to the pre-2018 standard.** This would allow children with Individual Tax Identification Numbers (ITINs) to qualify for the credit so that all children, regardless of immigration status, can benefit from this critical anti-poverty tool.
- **Address the structural barriers Hispanic families face when applying for and receiving the CTC. This includes:**
  - Enhancing outreach to increase public awareness about the CTC among Hispanic families, especially those that have no tax filing requirement and are newly eligible under ARPA.
  - Overcoming language barriers, such as by making translated documents more readily available and improving official website content by creating a better user experience.
  - Investing in Community Navigators that can provide free or low-cost tax preparation assistance; and
  - Reducing unbanked rates so that recipients of the CTC can receive advance payments as direct deposits, thus reducing costs associated with cashing paper checks.



### Latinas Lack Access to Retirement Savings Plans

Employer-sponsored retirement plans are the most important vehicles for providing retirement income for older Americans after Social Security.<sup>118</sup> However, a lack of access to any type of retirement savings is especially common among low-wage workers, women, younger workers, single workers, part-time workers, and workers of color. **Out of all these groups, Latinas are the least likely to have an employer-sponsored retirement account:** only 18% of Hispanic women report having an employer-sponsored retirement account, compared to 45% of white women, 32% of Hispanic men, and 71% of white men.<sup>119</sup>

In addition to disparities in access, inequities in workplace retirement plan eligibility and participation contribute to persistent retirement savings gaps. Among the small number of Latinos with access to a retirement plan, 60.4% meet the eligibility set by employers. In comparison, 72.9% of all workers are eligible to participate in retirement plans, as are 76.1% of whites, compared to 65% of all non-white workers.<sup>120</sup>

Latino employees may not be eligible to participate in an employer's plan for several reasons, including the employee's specific role or type of job, the length of time that they work for an employer, or because they work part-time. For Latinos, the leading identified reason for non-enrollment in an employer-sponsored retirement plan was a lack of access due to the part-time nature of their work (20.9%), followed by affordability (14.7%).<sup>121</sup> However, **when Latinos are offered a chance to participate and are eligible to participate in an employer-sponsored retirement plan, the majority (95.4%) choose to participate.**<sup>122</sup>

With an increasing workforce, Latinas deserve the right tools to plan for the future. **Yet a lack of access to employer-sponsored retirement plans leaves Latinas with few options.** Although research on Latinas' access to Social Security benefits is limited, current data points to this safety net as a longstanding necessity for retired Latinas. The Social Security Administration found that among Hispanic beneficiaries of Social Security benefits, 42% of married couples and 59% of unmarried individuals relied on Social Security for 90% or more of their income.<sup>123</sup> In 2019, Latina women received, on average, \$10,758 annually from Social Security.<sup>124</sup>

### *Delinking Retirement Plans from Employment Benefits Latinas*

Under the Employee Retirement Income Security Act of 1974 (ERISA), a private-sector employer can delay an employee's participation in an employer-sponsored retirement plan until the employee completes one year of service and/or has completed 1,000 hours of service.

To remove burdensome eligibility barriers for all workers—which can result in Latinas having disproportionately less access to workplace retirement savings plans—the U.S. can:

- Eliminate the one-year service requirement under the Employee Retirement Income Security Act (ERISA) to allow employees to begin to contribute to a plan as soon as they start a job.<sup>125</sup>
- Allow employees with less than 500 hours of service to participate in a retirement savings plan, which would allow more part-time workers to participate in a plan.<sup>126</sup>

For workers whose employers do not offer retirement plans, there are few widely available substitutes that fail to adequately help them save sufficient funds for retirement. Steps to expand access to retirement accounts among U.S. workers, including Latinos, include:

- **Providing workers access to portable retirement accounts**, modeled on the federal Thrift Savings Plan open to federal employees and members of Congress, that are independent of work so that workers in nontraditional or low-wage roles can build retirement savings.<sup>127</sup>
- **Protecting and sufficiently funding the Social Security program** so that it may remain a pillar of support for millions of Latinas and ensure long-term solvency. Latinas have one of the highest life expectancies in the United States, and the broader Latino community relies on Social Security for retirement.<sup>128</sup>

### CALSAVERS: Simple and Valuable

In 2019, California launched CalSavers, a state-sponsored retirement savings program for private sector workers whose employers do not offer a retirement plan.<sup>129</sup> **Since its launch, the CalSavers program has given access to 3.5 million Latino workers to a retirement savings account, and grown saver assets by 510%, from \$28 million to more than \$173 million by the end of 2021.** Importantly, the program is accessible to any worker that is employed in the state of California, is self-employed, and holds either a Social Security Number or an Individual Taxpayer Identification Number (ITIN).

## CONCLUSION: CREATING AN INCLUSIVE ECONOMY THAT WORKS FOR LATINAS

Improving the workplace for all Latinas is a critical step towards closing the Latina wealth gap and unleashing Latinas' fullest economic potential. Focusing on transforming the workplace will propel the labor market forward and center equity in a post-pandemic economy. It also acknowledges the dire need for long-term structural reforms to address the systemic exclusion of Latinas from key job-related benefits.

**Latinas have experienced tremendous progress in the past few decades. Policymakers have the power to create well-earned paths to prosperity for Latinas that will allow them to participate more fully in the economy, provide for their families, and plan for the future.**

Latinas face persistent barriers to their sustained economic advancement, whose gains were erased by a pandemic in which they played a disproportionate role performing essential work.

It is imperative that we build a more inclusive and equitable economy, and support policies that help Latinas regain their footing, keep their progress, and dismantle the barriers that keep them from reaping the benefits that work should provide. **Measures that support Latinas' ability to achieve economic security and build long-term wealth are essential to an inclusive and equitable economy and a vibrant future.**



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