Local Implementation of CEDAW and Cities for CEDAW Campaign Leadership

Report to UN CEDAW Committee

San Francisco Department on the Status of Women

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I. Introduction

Demographics
San Francisco is a city and county in the state of California in the United States of America with a population of approximately 850,000 people, according to US Census population estimates for 2014. Women account for 49% of the residents, but are a majority of the young adult (15-24 years) and senior (60 years and over) aged segments of the population. San Francisco has a diverse population of women: 40% are Asian, 35% are White, 14% are Latina/Hispanic, and about 7% are Black. There are a high number of immigrants in San Francisco with 37% of the female population born outside of the US.

Economic Opportunity
Women in San Francisco are 46% of the job holders; on par with the state of California, but slightly below the national estimate of 48% of the workforce. Compared to a national wage gap of 21%, women in San Francisco fare better with median earnings for full-time year-round work at 86% of what men make. Yet women still make less than men at all levels of education and own just 30% of firms in the county. As is the case elsewhere in the US, San Francisco’s women are more likely to be in poverty than men and single mothers of children under five years are the most likely population to live in poverty. However, women in San Francisco are highly educated with 86% graduating high school and 52% holding bachelor degrees or higher.

Safety
San Francisco has an estimated homeless population of 7,500 and approximately one-third are female and 5% are transgender. For homeless women and families, experiencing domestic/partner violence or abuse was often a cause of their homelessness. The 2015 San Francisco Family Violence Council report on cases of family violence counted nearly 8,500 emergency calls to 9-1-1 for domestic violence and stalking and almost 24,000 domestic violence crisis line calls. There were three women killed in domestic violence related deaths in 2014. The first report on Human Trafficking in San Francisco identified 224 female and ten transgender known and suspected survivors of human trafficking, most of whom were sex trafficked girls and young women.

Institutional Commitment to Women’s Rights
The San Francisco Commission and Department on the Status of Women is the local body entrusted with ensuring that women and girls have equal economic, social, political, and educational opportunities. The Commission on the Status of Women (“the Commission”) was established in 1975 to ensure the

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1 U.S. Census Bureau, 2009-2013 5-Year American Community Survey.
2 U.S. Census Bureau, 2011-2013 3-Year American Community Survey.
3 Ibid.
4 Ibid.
5 Ibid.
7 U.S. Census Bureau, 2011-2013 3-Year American Community Survey.
8 Ibid.
10 Ibid.
12 Mayor’s Task Force on Anti-Human Trafficking, 2015 Human Trafficking Report in San Francisco
equitable treatment and foster the advancement of the women and girls in San Francisco through programs, policies and legislation. In 1994, the Department on the Status of Women (“the Department”) was established when voters approved Proposition E, which created a permanent Department to carry out the mission and polices of the Commission. The Department is governed by the Commission, a permanent body of the San Francisco City Charter whose seven members are appointed by the Mayor. The Department has six permanent staff and an annual budget of approximately $6 million, of which about 90% is distributed to community based organizations that provide critical services to women survivors of domestic violence, sexual assault, and human trafficking. The San Francisco Commission and Department are the strongest and best-funded agency of its kind in the nation.

II. Local Implementation and Oversight of CEDAW

As a direct result of the 1995 UN 4th World Conference on Women, San Francisco became, in 1998, the first city in the world to adopt a local ordinance reflecting the principles of the UN Convention on the Elimination of All Forms of Discrimination ("CEDAW Ordinance"). The CEDAW Ordinance serves as the guiding framework for the Department’s work.

A. Passage and Implementation

The passage of the historic CEDAW Ordinance resulted from a governmental and civil society collaboration between the Commission, the County Board of Supervisors, the Mayor, the Women’s Institute for Leadership Development for Human Rights, Amnesty International, and The Women’s Foundation of California among others. Following community outreach, advocacy, and resolutions urging adoption from other City Commissions, the CEDAW Ordinance was passed unanimously by the San Francisco Board of Supervisors and signed into law by Mayor Willie L. Brown, Jr. on April 13, 1998. It requires action in the form of preventive and forward-thinking measures to ensure that government resources, policies, and actions do not intentionally or unintentionally discriminate against women and girls from any community. In 2002, the CEDAW Ordinance was revised to address the intersection of race and gender and incorporate reference to the UN Convention on the Elimination of all Forms of Race Discrimination. The text of the Ordinance can be found at: http://sfgov.org/dosw/cedaw-ordinance.

The Commission was designated as the implementing and monitoring agency of CEDAW in San Francisco. The CEDAW Ordinance set up a CEDAW Task Force of government officials, members of the Commission, and community members to promote the implementation of CEDAW and to integrate gender equity and human rights principles into all local government operations including budgetary decisions. To support this work, the CEDAW Ordinance included budget monies for a consultant to develop the gender analysis guidelines and one staff person at the Department. The first step in this process was the development of the gender analysis tool in 1999, a set of guidelines to assist City Departments in implementing CEDAW principles. In 2002, the Task Force and Commission set forth a CEDAW Five-Year Action Plan. The Task Force ended in 2006 and the Commission and Department continue to implement and monitor CEDAW through gender analysis and city initiatives.

B. Gender Analysis of City Departments

The CEDAW Ordinance called for the development of gender analysis as a preventive tool against discrimination. It requires City Departments to evaluate their operations using gender analysis to determine whether they were abiding by CEDAW principles in three areas: 1) service delivery, 2) employment practices, and 3) budget allocations. If not, Departments were to identify remedial actions and associated timeliness for implementation. The overall aim was to integrate gender considerations
into the daily operations of local government so that residents had equitable access to services and employees were ensured fairness in the workplace, regardless of gender.

Since 1999, the Department has undertaken gender analysis of 11 City Departments, including the Department on the Status of Women, and has monitored them with five-year progress reports. The Ten-Year Report on CEDAW implementation documents in detail the work that has been conducted and can be found at http://sfgov.org/dosw/sites/sfgov.org.dosw/files/migrated/FileCenter/Documents/dosw/Reports/CEDAW_report_101810.pdf.

C. City Initiatives
The Department, informed by the CEDAW Ordinance and gender analysis reports, has also implemented city-wide initiatives to advance women’s human rights.

- In January 2001, the Department surveyed 39 City Departments to assess the type and extent of work-life programs and policies within City Departments, and, later that year, released the Work Life Policies and Practices Survey & Report.
- In 2003, the Board of Supervisors adopted a resolution to conduct CEDAW gender analysis of budget cuts of all City Departments in the face of a $300 million budget deficit.
- The Department developed and conducted CEDAW trainings in 2005.
- The Department conducted a gender analysis of City Commission and Boards first in 2007 leading to a 2008 Charter Amendment approved by voters to ensure appointments represented the diversity of San Francisco and mandating the Department conduct gender analysis of City Commissions and Boards biannually.
- In 2009, the city-wide Gender Responsive Budgeting Initiative launched and jointly published with the Mayor’s Budget Office the report, Gender Responsive Budgeting: A Path to Accountability and Data-Based Policy-Making.
- In 2014, the Department developed a Gender Analysis Toolkit to share guidance and best practices with other jurisdictions.

III. Achievements of San Francisco’s CEDAW Ordinance

The Department and City and County of San Francisco have used CEDAW as a local agenda for gender equality. Since 1998, they have adopted measures to go above and beyond existing state and federal laws. These are identified below by CEDAW Article. This work to advance the human rights of women has earned numerous national and international awards, including the National Association of Counties Achievement Award (2006, 2009), the 2010 United Nations Institute for Training & Research Gender Equality Award, and the 2012 International WorkLife Balance Award by the Italian regional government. We are pleased to be able to share our numerous and landmark achievements to advance women in San Francisco and beyond.

Article 1. Defining Discrimination against Women
City and County of San Francisco Municipal Code Administrative Code Chapter 12K.2. states:
“Discrimination against women” shall include, but not be limited to, any distinction, exclusion or restriction made on the basis of sex that 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 political, economic, social, cultural, civil or any other field. The definition of discrimination includes gender-based violence, that is, violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty by family, community or government.

Article 2. Eliminating Discrimination Against Women

- The Department conducts regular gender analyses of City Departments, as well as City Commissions and Boards every two years. All gender analysis reports can be found at http://sfgov.org/dosw/gender-analysis-reports.
- Ending Violence Against Women:
  - The Department's Violence Against Women Prevention & Intervention (VAW) Grants Program represents an annual investment, currently of $5.6 million, of local funding to 29 community-based organizations (Partner Agencies) that provide critical services to women survivors of domestic violence, sexual assault, and human trafficking. Beginning in FY 2013-2014, Partner Agencies were asked to monitor, collect, and report demographic data on transgender clients.
  - After 12 years of focused work on policy reforms and expanding direct services to survivors, San Francisco achieved a record 44 months free from domestic violence-related homicides (June 2010 – January 2014). Essentially, we have been able to eliminate domestic violence-related homicides from what had been about ten per year a decade before.
  - The Department obtained funding for two domestic violence advocates to be placed at San Francisco Housing Authority, public housing for the city's poorest families. The advocates will assist in reducing homelessness, increasing safe housing for victims of domestic violence, providing counseling, advocacy, safety planning, and transfer assistance.
  - To ensure that all City Agencies and community advocates know how to assist victims of violence, the Department conducted numerous trainings ranging from First Responders trained in domestic violence-related language in Cantonese and Spanish to Housing Authority staff members trained on best practices when their client is a survivor of violence to community advocates trained on the criminal justice system to assist their clients efficiently and effectively.

Article 3. Advancing Women’s Human Rights

The establishment of the Commission as a permanent policy-making body of the City and County of San Francisco with a budget to support the staff of the Department and their work represents San Francisco’s commitment to advance the rights of women in the political, social, economic and cultural fields. Specific examples help illustrate the range of measures implemented to ensure development and advancement of women’s rights through the CEDAW Ordinance.

- The Arts Commission’s Street Artist program provides economic opportunities for artists by allocating space on city streets where they can sell their creations. During the CEDAW review, the Arts Commission realized that some women artists, particularly those with parenting responsibilities, faced difficulty participating in the daily lottery because of the rule that they must appear in person at 8:30 A.M. to have a chance at the best locations. As a result of identifying this issue, they facilitated a process to change the rule to allow for a proxy to appear for the lottery. While the impetus for this change was to eliminate the inadvertent
disadvantages faced by women with children or other care-giving responsibilities, it also helped religious Jews who were unable to attend the lottery on Saturday mornings, men with parenting responsibilities, and anyone who may have occasional challenges appearing in-person.

- The Department of Public Works’ CEDAW gender analysis called attention to the gender segregation of DPW’s work force. For example, in 1999 over eighty percent of departmental employees earning over $70,000 per year were men and the numbers of women and men were roughly equal only in the lowest salary range. As a result, they created a support group for women employees that continues to meet regularly and acts as a forum for discussion of issues facing women employees. From this group, concerns were raised by women with children who work the night or swing shifts. In response, the Department of Public Works compiled a listing of childcare providers who operate during non-traditional hours. The group also regularly discusses career paths and opportunities for promotion.

- The Department of the Environment’s CEDAW gender analysis led to the review of grant-making in a more holistic way. Instead of looking only at whether the grant achieves its environmental goals (e.g., is this the best recycling diversion program possible?), the agency also now looks at which communities and individuals (e.g., gender, race, ethnicity, etc.) benefit from the grant monies. The Department also requires reporting on who holds leadership positions at grantee organizations and who is hired with monies granted by the Department.

**Article 4. Special Measures for Women’s Advancement**

The Department operates in a greater legal environment that does not allow for specific classes of people to receive special preferences. In 1996, the voters approved California Proposition 209 to prohibit government institutions from providing preferential treatment to any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, education, or contracting. The City and County of San Francisco’s local measure designed to assist minority- and women-owned businesses in public contracting was struck down in courts due to Proposition 209.

**Article 5. Social and Cultural Changes**

The Department has implemented and collaborated on many initiatives to address social and cultural expectations for women such as advancing equality in caregiving responsibilities and reducing sex-stereotyping in employment and education.

- **Paid Parental Leave** for new parents is not provided by the US Government, but San Francisco became the first municipality in the nation to provide 12 weeks of 100% paid leave to City employees, both male and female, who welcomed a new child through birth, adoption, or foster placement in 2002. The Department is currently involved in expanding this policy to a greater number of employees both in the City workforce and the private sector through the Paid Parental Leave Task Force and support of an amendment to the City Charter on the ballot in November 2015.

- **Flexible workplaces** to improve equality in caregiving were advanced through the 2013 Family Friendly Workplace Ordinance. The Department helped develop and is currently undertaking an outreach effort for this first of its kind legislation to guarantee workers in workplaces of 20 or more employees the right to request a flexible work schedule to help workers with caregiving

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responsibilities to balance their obligations to both work and family and to allow more equality in caregiving between men and women.

- The Department participated in a Work Schedule Predictability Task Force to develop solutions to unpredictable and erratic scheduling for hourly employees that complicated the already difficult balance of work and caregiving responsibilities. The resulting Retail Workers Bill of Rights requires chain stores to give two-weeks’ notice of schedules and compensate employees for last minute changes.
- Increasing women in non-traditional occupations has been a focus for the Department, which offers recruitment strategies and resources, supported women in apprenticeship panels and job fairs, and partnered with the Department of Human Resources to conduct a gender analysis of the City workforce in technology, public safety, and skilled crafts positions currently underway.

**Article 6. Suppressing Human Trafficking**

- The Mayor's Task Force on Anti-Human Trafficking was convened in 2012 by Mayor Edwin Lee and is staffed by the Department. The Task Force meets quarterly and has to date:
  - Facilitated a public-private collaboration for policy responses to human trafficking;
  - Published a report on the number of trafficking cases in San Francisco;
  - Successfully advocated for funds to provide after-hours emergency response to commercially sexually exploited children;
  - Strengthened enforcement of illicit activities at massage parlors through legislation;
  - Initiated training of school district, health inspectors, juvenile probation officers, children’s service providers, and foster care providers on signs of trafficking.
  - Created a Sex Worker Committee to advance policies at the Police Department and District Attorney’s Office that would create an environment where sex workers who were victims or witnesses to violent crimes could feel safe reporting those crimes; and
  - Launched a regional campaign, *No Traffick Ahead*, to train hospitality staff of signs of trafficking in advance of the 50th Superbowl, which will be held in San Francisco in February 2016 and is an event historically associated with an increase in human trafficking.

- Funding for programs and services through the Department’s Prevention and Intervention Grants Program goes to several new programs addressing human trafficking. In Fiscal Year 2013-2014, three organizations received funding to provide services to sexually trafficked LGBT youth. Beginning in FY 2015-2016, three additional organizations will receive funding for programs that address human trafficking.

**Article 7. Encouraging Equal Political Participation**

- The Department completed a gender analysis of City Commissions and Boards in 2007. This important exercise was institutionalized in a City Charter Amendment approved overwhelmingly by the voters in 2008 to require:
  - Membership of Commissions and Boards reflect the diversity of the San Francisco population;
  - Appointing officials be urged to support the nomination, appointment, and confirmation of these candidates; and
  - The San Francisco Department on the Status of Women to conduct a gender analysis of Commissions and Boards to be published every two years.

These analyses have found equal representation of women in these appointed positions; however, it identified issues of unequal appointments to well-funded, influential bodies.
Article 8. Equal International Representation
Outside of the jurisdiction of the City and County of San Francisco.

Article 9. Right to Nationality
Outside of the jurisdiction of the City and County of San Francisco.

Article 10. Ensuring Equal Access to Education
• The Department and Commission supported a focus group with girl-service providers, reviewed and edited the subsequent Community Needs Assessment, and met with leadership of the Department on Children Youth and Their Families to discuss the gender analysis and future collaboration.
• The Department advocated for gender responsive language to be included in the goals and eligible uses for the San Francisco Children and Youth Fund, which provides a portion of annual property taxes for children and youth services. This confirmed that gender equity will be a consideration in budget and program formation, such as “ensuring children are provided with gender-responsive and culturally-competent services” as a goal of the fund and adding to fund-use eligibility: “Services responsive to issues of gender, sexual orientation, and gender identification, including, but not limited to, services to address the needs of girls and LGBTQQ communities.”
• The Department conducted a study of strategies to improve Science, Technology, Engineering, and Math (STEM) opportunities for girls and young women and developed recommendations to advance women in STEM.
• The Department hosted an Anti-Bullying Solutions Generator, which was a collaboration with Caravan Studios, a social enterprise technology company, that empowered over 25 high school students, primarily girls, to discuss solutions and develop potential smart phone applications to address bullying.

Article 11. Ending Employment Discrimination
The Department has been involved in ending employment discrimination both within government, through gender analysis and city initiatives, and the private sector.
• The Gender Equality Principles were developed as part of an innovative public-private partnership with the Department and the private sector to develop the key principles that companies should adopt to advance gender equality at the workplace. These principles have since been adopted by the UN Global Compact into Women’s Equality Principles. The initiative includes the use of technology tools freely available to any organization to assess gender equality in the workplace, resources to advance gender equality, and a challenge to recognize and showcase best practices in use in the San Francisco region. More information on these principles can be found at genderprinciples.org.
• Domestic violence in the workplace is an issue that the Department has worked to address through education of city leaders, staff, and the recruitment and training of Domestic Violence Liaisons to support their colleagues if they are experiencing abuse. The Department developed a workplace brochure and poster and distributed it to every City Department.
• The Equal Pay Ordinance is the first of its kind legislation passed in November 2014 that the Department helped develop and implement to require companies and organizations that receive public monies for contracts to disclose their employees’ pay by gender and race to ensure the City is not funding pay discrimination.
• A report of sexual harassment cases filed within the City workforce is provided to the Department to monitor and track sexual harassment on an on-going and regular basis.

Article 12. Equal Access to Health
• A Buffer Zone legislation to ensure women can freely access reproductive and health services, including abortion, without harassment or intimidation was passed in San Francisco, supported by the Department, and renewed in 2014.
• Healthy Mothers Workplace Award was developed by the Department in partnership with other organizations in May 2013 to educate companies about the legal requirements and best practices to support mothers at work through a self-assessment and award.

Article 13. Equal Economic and Social Rights
• Kindergarten to College is a program in San Francisco to ensure that the future of every child, regardless of gender, is being invested in. Children entering kindergarten in the City’s public schools are automatically given a College Savings Account containing a $50 deposit from the City and County of San Francisco and children enrolled in the National Student Lunch Program receive an additional $50 deposit.
• Women-Owned Business Enterprises are certified and monitored under the Local Business Enterprise Utilization and Nondiscrimination in Contracting Ordinance to ensure that firms where the ownership by women constitutes at least 51% of the overall business ownership are not discriminated against in outreach or awarding of contracts with the City.
• Gender Responsive Recreation creates equal opportunities for girls to participate in recreation and sports programs. For example, the All-Girls Baseball League in the San Francisco Youth Baseball League allows girls in primary and middle school a chance to participate in a sport usually limited to boys.

Article 14. Rural Women's Equality
Not applicable to the local context, as San Francisco is an entirely urban area.

Article 15. Equality before the Law
• A gender responsive judiciary system is advanced through the San Francisco Domestic Violence Court, which understands that arrests alone will not stop domestic violence but system-wide coordination and collaboration among criminal justice agencies and non-profit agencies promotes victim safety, and Girls Court, a special process for girls reentering the community, including girls who have been or are at risk of sexual exploitation.

Article 16. Marriage Equality
• Marriage equality was first initiated in San Francisco in 2004 before it was legalized in California and the U.S. The Department enthusiastically supported and participated in advancing the right of all people to marry the person of their choice, including providing couples of the same gender the right to marry.
• Sexual education has been a requirement for schools in San Francisco despite national efforts to eliminate or restrict sexual education in schools. The State of California recently adopted legislation to require the teaching of sexual health and education in all schools.
IV. **Strategic Partners**

In 1996, the Women’s Institute for Leadership Development (WILD), a human rights group, was formed to bring the Beijing Platform to the US after the 4th World Conference on Women in 1994. The passage of the CEDAW Ordinance in 1998 was spearheaded by a coalition of WILD, Amnesty International, and the Women’s Foundation of California in partnership with San Francisco’s Commission on the Status of Women (COSW).

Last year, we partnered with the Non Governmental Organizations Committee on the Status of Women New York (NGO CSW) and the San Francisco-based Women’s Intercultural Network for the Cities for CEDAW Campaign detailed below.

V. **Cities for CEDAW Campaign Leadership**

At the Parallel Sessions of the UN Commission on the Status of Women in March 2014, the Department launched the *Cities for CEDAW Campaign* with the NGO Committee on the Status of Women New York and the Women’s Intercultural Network. The Department leads the governmental arm of the campaign. San Francisco Mayor Edwin Lee challenged 100 US mayors to follow San Francisco’s lead and commit to local measures reflecting CEDAW principles by December 2015. The three requirements of such measures are 1) to conduct gender analyses of city operations, 2) designate an oversight body (preferably a Commission on the Status of Women), and 3) allocate public funding of a suggested $0.05 to $0.10 per woman in the community to support local implementation of CEDAW principles.

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**Efforts and Events**

- In June 2014, through the work of the Department and Commission, the U.S. Conference of Mayors unanimously adopted a resolution in support of the *Cities for CEDAW Campaign*.
- Since then, the Department has conducted outreach to Mayors’ Offices, Commissions on the Status of Women, and other city staff and officials around the country; developed a website (cities4CEDAW.org) and social media presence; and created campaign materials.
In fall 2014, the Department held three webinars about CEDAW and the campaign.  
In January 2015, the Department helped organize a regional Cities for CEDAW conference.  
In March 2015, the Department organized a Cities for CEDAW workshop at the NGO CSW.  
In June 2015, the Department organized and co-hosted a Mayors Roundtable on advancing women through local CEDAW measures during the US Conference of Mayors meeting in San Francisco.  
In July 2015, the Department presented the Cities for CEDAW Campaign to the Association of California Commissions for Women meeting.  
In September 2015, the Department presented on CEDAW as a way to advance the UN Sustainable Development Goals at an event hosted by the United Nations Association USA San Francisco.  
In October 2015, the Department organized a Cities for CEDAW workshop at the Women’s Funding Network conference.

Technical Assistance and Support
The Department has provided technical assistance, resources, and support to city officials and advocates considering CEDAW measure in the following US localities:
- Boston, Massachusetts
- Cincinnati, Ohio – CEDAW Resolution passed in 2015
- Daly City, California – CEDAW Resolution passed in 2015
- Denver, Colorado
- Des Moines, Iowa
- Encinitas, California
- Hilo, Hawaii
- Louisville, Kentucky – CEDAW Resolution passed in 2014
- Marin County, California
- Miami-Dade County, Florida – CEDAW Ordinance passed in 2015
- New York, New York
- Raleigh, North Carolina
- Saint Paul, Minnesota
- Salt Lake City, Utah
- Santa Fe, New Mexico
- Santa Monica, California – CEDAW Resolution passed in 2015
- Tacoma, Washington
- Washington, D.C. – CEDAW Ordinance introduced
VI. Annexes


Gender Responsive Budgeting: A Path to Accountability & Data-Based Policy-Making (2010):


Addendum and Recommendation:

Effective Strategies to Increase Girls’ Success in STEM Education (2013):

http://sfgov.org/dosw/family-violence-council