

## Arbitrary Dispute Resolution

**1** The Seventh Amendment hasn't been repealed. So how did Americans lose the right to trial by jury? In purchasing the modern world's necessities, from a credit card to a cell phone and even nursing home services, or accepting a new job, few Americans realize that they have signed away a crucial right. Tucked deep into lengthy contracts written in fine print are clauses dictating that any disagreements be resolved by arbitration, a judicial process in which an arbitrator issues a binding decision without ever having to make its reasoning public. An employee disputing poor working conditions or a nursing home resident alleging

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medical negligence might never know why their claims against a company were denied. Worse, since the arbitration firms have an interest in maintaining good relationships with the corporations that are their steady customers, it's little surprise that 98.4% of arbitration decisions by the top 10 arbitration firms are made in favor of companies—and against consumers, employees, and patients. The Arbitration Fairness Act, proposed this year in the United States Senate by Senator Russell Feingold (D-WI), protects against clandestine decision-making and corporate favoritism by invalidating pre-dispute BMA “agreements” between parties of unequal bargaining power. For safeguarding the right to trial by jury, where a body of law protects the rights of producer, consumer, employer, and employee alike, the AFA is one of the best policies of 2007.

# The Ten Best Public Policies of 2007

## No More Working While Sick

**2** Caught that new flu bug that's going around? If you're one of the 50% of American workers without paid sick leave, you may be punching the clock anyway. And if you're one of two-thirds who can't take paid time off to care for an ill child, Junior may be heading off to school with a contagious disease. That is, unless you live in San Francisco, which this year became the first place in the country to mandate at least five days of paid sick leave for everyone employed within city limits. The measure permits employees to use the sick days to care for themselves, family members, or another person designated as dependent on their care. While businesses complain about the cost, the SF ordinance—approved by voter referendum—is expected to lower employee turnover, raise productivity with a healthier workforce, reduce

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the rate of workplace-related illness as fewer people go to work with contagious conditions, and allow illnesses to get treated before they become serious. Workers, meanwhile, will no longer face an impossible choice between health and employment. For giving everyone time to heal without

losing a day's pay, San Francisco's sick leave is one of the best policies of 2007.

## A Haven for Community

**3** In a debate overflowing with invective and cheapened by half-truths, a reasonable voice achieves unexpected potency: “This is not a Latino issue. This is not an immigrant issue. This is an issue of justice and human rights.” These are the sage words of New Haven Mayor John DeStefano as he issued a new municipal ID card available to all city residents, regardless of immigration status. The card ensures access to city libraries and parks and can be used to obtain bank accounts, car insurance, and apartment rentals. It also functions as a debit card for parking tickets and some downtown shops. The card benefits New Haven's 10,000 to 12,000 undocumented immigrants who have easier access to private and municipal services, but it's really a boon to every city resident. For example, undocumented immigrants can show their card to police who ask for ID, making it easier for them to report crimes and serve as witnesses, which increases public safety for the entire town. New Haven's policy of recognizing all of its residents and integrating everyone into the community identifies it as one of the best of 2007.

## Stop the Mortgage Abuse

**4** A predatory mortgage loan is a wolf dressed in sheep's clothing, with low teaser rates masking the high fees and escalating interest payments lurking down the road. The end is seldom pretty: a borrower who never had a prayer of being able to pay off the loan frequently loses their home to foreclosure. A new law in Minnesota puts a stop to such deceptive and abusive practices by mortgage brokers and lenders, mandating that lenders verify a borrower's ability to repay the loan, requiring brokers to act in the borrower's best interest, and limiting points and fees. The law also bans refinancing deals that have no benefit to the borrower but generate lucrative fees and commissions for the lender. In addition, Minnesota has outlawed the grossly unfair tactic of steering borrowers toward a higher interest loan than they actually qualify for—a practice that has particularly victimized black and Latino borrowers. A number of states, as well as the federal government, have legislation in the works that builds on the Minnesota model. For finally reining in the out-of-control lenders that prey on Americans' dreams of homeownership, Minnesota's mortgage law finds a home on our list of the best policies of 2007.

## State of the Unions Addressed

**5** Labor unions built the American middle class. Membership today, however, hovers around 12% of our workforce even as millions of non-union employees say they want a union at work. So why aren't more people organized? Routine intimidation is one reason: employers hold backroom private meetings with employees, threaten factory closings, and illegally fire the leaders of union-organizing campaigns. This year, Congress

took action to stop the harassment by introducing the Employee Free Choice Act. Introduced by Rep. George Miller (D-CA) and killed by a Senate filibuster, the act would streamline the process by which employees may organize, join or support a labor organization, making it easier for workers to collectively bargain for anything from higher wages to better healthcare and safer workplaces. Wal-Mart-style intimidation and retribution are out the window, as the act would provide greater protection and remedy to sanction scare tactics against organizers. For trying to provide stronger protections against unfair labor practices and giving greater access to union membership for millions of American workers, the Employee Free Choice Act is one of this year's "best."

## D.C. in the House!

**6** Forget the tacky mottos on the typical state license plate, Washington D.C.'s slogan, "Taxation Without Representation," is a stinging indictment of the District's lack of even one federal representative empowered



to vote in Congress. Eleanor Holmes Norton, D.C.'s indomitable delegate, can debate with the best of them, but without the D.C. Voting Rights Act, neither she nor anyone else D.C. residents elect to Congress can cast a binding vote. No matter that the District's population is greater than, say, Wyoming's (two senators and a representative, thank you very much) or that its residents pay taxes and serve on juries, or even that the U.S. is a signatory to international treaties guaranteeing full voting rights. The D.C. Voting Rights Act passed the House this year for the first time in decades. Supporters even had a plan to win over GOP Senators spooked by what would likely be a new Democratic seat: balancing it with another seat for the heavily Republican state of Utah. Alas, the deal still failed to overcome a partisan filibuster. We cast our ballot for the D.C. Voting Rights Act, an affirmation of America's deepest democratic values, as one of the best policies of 2007.

## Taking the Train

**7** The Denver area probably isn't the first place that comes to mind when you think of excellent public transportation, but that may be about to change. This May, the city began the nation's largest transit expansion program, a 12-year, \$4.7 billion plan approved by voters in 2004 to build 119 miles of new light and commuter rail, while dramatically improving bus service. But the project is about more than just a way to get from one place to another: the regional transit agency is also working with local governments and private builders to promote transit-oriented development (TOD), communities planned around their convenient access to mass transit where residents can easily walk to shops, parks and other amenities. An increasingly popular model for new developments nationwide, TOD reduces traffic congestion and



pollution, promotes a healthy lifestyle, enhances sustainability and offers increased mobility for people unable to drive. And while Denver may be the largest project combining transit and development, cities from Orlando to Dallas to Salt Lake City and Charlotte, North Carolina are pursuing their own transit and TOD expansions. Denver's investment in transit puts it right on track to be among the best public policies of 2007.

## NYC Plans on Sustainable Development

The Bush Administration is still dawdling when it comes to confronting environmental crises, but state and local elected officials are moving ahead to implement their own sustainable policies. New York City Mayor Michael Bloomberg leads the pack. His far reaching proposal, PlaNYC, addresses three physical barriers to ensuring the city's sustainable expansion and improving New Yorkers' quality of life: population growth, infrastructure, and the environment. The campaign aims to create homes for a million more New Yorkers in areas accessible by mass transit, to cut water pollution in order to open 90% of the city's waterways to recreation, and to reduce global warming emissions 30% by 2030. The strategy is effective

because it is so comprehensive: the "everything-on-the-table" approach to sustainable development means that solutions are as varied as an energy-efficient taxi fleet, water-cleansing mollusks, green roofs, a million new trees, tax-free energy-efficient cars, and energy-producing landfills. Such a comprehensive approach addresses the complexity of sustainable development head on and encourages New Yorkers to think hard about their city and its interactions with the environment. For embodying the spirit of global thought and local action, PlaNYC is one of the best policies of 2007.

## Sharing the Wealth

8 According to the U.S. Census Bureau, Maryland is the wealthiest state in the Union. So why do more than half a million Marylanders still live below the poverty line? Gov. Martin O'Malley and a bipartisan legislature decided to share the wealth with lower-income workers this year, enacting the nation's first ever statewide living wage law, which went into effect on October 1st. The law joins more than 120 living wage laws in effect in cities and counties across the nation. The new law applies only to government contractors and subcontractors and requires them to pay a "living wage" of \$11.30 to their employees in urban areas and \$8.50 to employees in rural areas, where the cost of living is lower. The wage levels were calculated based on what it costs for a family of four to achieve self-sufficiency. In addition to reducing poverty, the law is projected to benefit business by increasing productivity and reducing employee turnover. For raising the standard of living for thousands of low-income workers and ensuring that public dollars don't subsidize poverty-level jobs, the Maryland living wage law earns a place among the "Best of 2007."

## Maine Retains Brains

10 Talk about killing two birds with one stone: with an innovative new program called Opportunity Maine, the Pine Tree State is simultaneously addressing the mounting burden of student loan debt and the economic development challenge of retaining an educated workforce. It works like this: Opportunity Maine provides a state income tax credit to graduates from public and private colleges located in the state, including both community colleges and four-year institutions. The tax credit is equivalent to the amount of any educational loan payments that graduates (or their employers) are making and lasts for up to ten years while graduates are paying off their loans. Here's the catch: to be eligible for the tax credit, graduates must continue to live in Maine. By providing an incentive for graduates to remain in the state, the policy not only helps young graduates struggling with debt, but also reverses the flow of educated people out of Maine. Supporters predict that the long-term investment in a skilled

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workforce will eventually pay for itself as higher paying jobs for educated workers are generated and retained in the state. This bright policy idea didn't come from politicians: grassroots organizations, including the League of Young Voters, began a petition drive that was later picked up by legislators. For a smart investment in the education of its residents, Opportunity Maine earns an A+ and the designation "Best of 2007."