

# MultiState Working Families Consortium: State Policies to Make Work More Family-Friendly

The Family and Medical Leave Act (FMLA) has proven to be one of the most important public policies to support working families, and to help balance the needs of business and employees. Yet the FMLA leaves more than two in five workers unprotected, provides no pay while workers are on leave, and does not cover leave for such routine family needs as caring for a child with a stomach flu, taking an elderly parent for preventive screening, or attending school meetings. Fully half the workforce – and three-quarters of low-wage workers – lack paid sick days.

States have a critical role in expanding policies that allow workers to be good employees *and* good family members. Such policies boost workforce attachment and asset development by helping people stay on the job and avoid public assistance. Businesses benefit as well from higher productivity and lower turnover costs. Examples of what states can do include:

## Covering More People Under FMLA

- California would amend the state's version of the FMLA to expand the definition of family member to include a seriously ill adult child, sibling, or grandparent. It also codifies the right to care for domestic partners, something already in state law.
- Washington passed a bill in 2006 to protect existing rights under the FMLA, should the Department of Labor enact more restrictive regulations.
- Some states lowered the threshold of covered firms to 20 or 25, not 50, employees.

## Expanding Reasons for Leave: Parental Involvement in Schools

- Several states have already passed bills allowing workers to use FMLA for a limited number of hours to engage in children's school activities. Others have introduced such legislation. In Wisconsin, for example, the bill would allow employees to use up to 16 hours a year of state FMLA for school conferences and related activities. Employees may substitute for this unpaid time other types of paid leave they may have earned on the job. The bill applies to attendance at school activities, or observing day care, pre-school or prekindergarten services, that cannot be scheduled during nonworking hours.
- In Georgia, a fifth grade class invited a legislator to teach them how a bill becomes a law. Three weeks later they notified him they had a bill they wanted *him* to make into a law – one that would allow their parents to be present at special events at their school.

## Making Leave More Affordable: Expanding Temporary Disability Insurance to Cover Family Leave

- California was the first state to pass a paid leave bill. One of five states with a long-standing Temporary Disability Insurance Fund, the bill expanded this fund to provide partial wages to workers unable to work because of family leave-related care. The fund is paid for by employees at a minimal cost (only \$11.23/yr for minimum wage workers).
- New York has introduced a bill, passed by the State Assembly, to expand their TDI fund. An actuarial study estimates the cost to workers as 27 cents per week, \$14.33 per year.
- New Jersey is also working to expand coverage to workers caring for a family member. Governor Corzine indicated he would sign such a bill, to be introduced in 2006.

## **Making Leave More Affordable: Creating a New Fund**

- California was the first state to pass a paid leave bill. One of five states with a long-Washington State in 2005 passed a bill for paid family leave in the Senate, although the bill stalled in the House. The coalition gained support from business partners and received considerable media attention, including editorial endorsement by two major dailies. The proposal was written to cover all workers after 680 hours of work for care of a new child, seriously ill child, spouse, domestic partner, parent or parent-in-law, or the worker's own health condition. Financing mechanism was 2 cent per hour payroll tax, split equally between workers and employers. Benefits would be \$250 per week for full time workers, pro-rated for part time, for up to 5 weeks with job protection. The version passed by the Senate was all employee-paid, limited to companies of 50 or more, and excluded the worker's own condition and domestic partner coverage.
- Massachusetts State Senate introduced a bill for paid leave, to be funded by employee contributions to a newly created Strong Families Trust Fund. Employees eligible for leave could draw 100 percent of earnings up to \$750 per week for up to 12 weeks.

## **Allowing Time Off For Routine Illness: The Healthy Families Act, Flexible Sick Leave**

- In Massachusetts, a strong coalition of labor and community organizations introduced the Healthy Families Act, a bill guaranteeing workers in firms of 15 or more 7 paid sick days which could be used for one's own illness or to care for a family member. They held a successful hearing and got support from a range of legislators. Several other states will introduce such a measure as well.
- Maine passed a flexible sick leave bill despite a deeply partisan and divided Labor Committee. The Chamber of Commerce reversed their position and withheld opposition on the bill after working with the coalition. The bill applies to workplaces of 15 or more employees (consistent with Maine's FMLA law) and includes a cap on five days of sick leave being used for family care. The family definition includes parent of the spouse.

## **Making TANF More Family-Flexible**

- Under TANF, states may allow parents of newborns to stay home for more than a year. Given the high cost of infant care, such a policy saves the states money. Wisconsin and other states with more restrictive policies are considering expanding the time available.
- Currently many state TANF programs sanction participants who miss time from work requirements because of caring for a sick family member. Wisconsin activists have succeeded in making the policy more flexible.

## **Making UI More Family-Flexible**

- Georgia and other states are considering measures to allow Unemployment Insurance eligibility to those who lose their job because of a family care hardship. In addition, states which exclude part-timers (people looking only for part-time work) from eligibility could end that exclusion.

*The MultiState Working Families Consortium includes coalitions in eight states (California, Georgia, Maine, Massachusetts, New York, New Jersey, Washington and Wisconsin). 9to5, Nat'l Association of Working Women, is fiscal agent. For more information, call 414-274-0925.*

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