

Economic Opportunity Institute Blueprint

Building Winnable Strategies for Paid Family Leave in the States

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Introduction

Major progress towards paid family leave in the United States was achieved in 2002. In September, California became the first state in the country to adopt a comprehensive paid family leave policy. Beginning in July of 2004, workers in California will be able to take up to 6 weeks off work and receive about 55% of their regular pay while caring for a newborn or newly adopted child, or when a family member is seriously ill. Washington's Family Care Act, signed into law in March 2002, has received less media attention, but is also an important step forward. Beginning January 1, 2003, Washington workers will have the right to use their sick leave, vacation, or personal time off to care for a seriously ill child, spouse, parent, parent-in-law, or grandparent.

These gains were made after many years of advocacy by broad-based coalitions across the United States. American workers are facing a time and income squeeze that makes balancing the routine demands of work and family increasingly difficult. When a new baby or family illness comes along, the balancing act frequently collapses under the additional pressure. Few working families have the resources to forego a regular income while spending the first crucial months

with a new child or caring for an ill family member.

Most parents –mothers as well as fathers – participate now in the workforce. Meanwhile, wages and benefit coverage have *declined* for many workers over the past several decades, while the number of hours worked annually has increased. Some individual employers have begun to provide family leave benefits. However, without governmental action the majority of American workers will continue to lack the flexibility they need in their jobs to adequately care for their families, and few will have access to paid time off during times of critical family need.

In 1993, after nearly a decade of advocacy, the federal government established a basic platform for family leave with the Family and Medical Leave Act (FMLA). The FMLA provides for up to 12 weeks of unpaid time off for workers in larger companies with a new baby, a seriously ill family member, or a serious medical condition of their own. Overall, the FMLA has proven to be beneficial for American workers and benign for most employers, but the law still leaves roughly 40% of workers unprotected and fails to assure income support for workers on family leave.

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In the mid-1990s a number of states began considering options to extend family leave protections to more workers and provide for paid family leave. Most commonly, states have looked to the unemployment insurance system, state temporary disability insurance (TDI) programs, or direct state subsidies as mechanisms for providing some kind of paid family leave. But while the issue has received considerable attention, legislative progress has been slow. California's success in 2002 may spur other state legislatures to follow. However, California added the new family leave insurance program to an existing temporary disability insurance system. Only four other states have such systems already in place, and with recession and budget shortfalls at the top of most legislative agendas in 2003, the majority of states may well be hesitant to follow California's example.

Washington's experience can be instructive for state advocates pondering the best strategies for moving forward. Advocates in

Washington have built a broad coalition in support of family leave, considered a range of options including developing a comprehensive family leave insurance proposal, and made incremental legislative progress with passage of the 2002 Family Care Act. The Washington Coalition for Family Leave remains committed to establishing a family leave insurance program in the state. In addition, the coalition has endorsed legislation that would require that all workers receive a minimum amount of paid leave annually. Currently most high-income, union, or public employees have access to some paid leave, but half of the workforce does not have paid sick leave and one quarter has no paid vacation. Establishing comprehensive family leave insurance **and** requiring that all workers have access to a minimum amount of paid annual leave will go a long way in providing all workers with the policy supports they need to balance responsibilities at home and on the job.❖

Parental Leave Needs

A year or more of paid parental leave after the birth of a child is the norm throughout most of the world, but in the United States, fathers are expected back at work within days, and mothers within weeks of a child's birth or adoption.¹ Under the federal Family and Medical Leave Act, new parents who work for larger companies are entitled to up to 12 weeks off, but often without pay. Scientific study confirms what most parents have always known - that intensive loving care is essential for a very young child to fully develop intellectually, emotionally, and physically, and that breast-fed babies are healthier than bottle-fed.² In Washington and many other states, licensed child care is not even available for an infant under six weeks old, and child care for infants costs considerably more than care for older children.

Parents also routinely need to take time off work to care for sick children and for other family medical needs. Low-income parents are the least likely of all workers to have access to paid time off, or the flexibility and control over their work hours to be able to deal with a family illness or crisis.³

Elder Care and Family Care

Our population as a whole and the workforce are aging, at both the state and national levels. With the babyboom generation now in middle age and still mostly at work, a rising percentage of workers are more prone to illness and injury themselves or to have a spouse with a serious health condition. The proportion of Americans over age 65 is also increasing, and consequently the number of older adults requiring care has skyrocketed. In 1987, approximately 8% of households were involved in the care of an elder. By 1997, that percentage had nearly

tripled. More than 21 million households are now providing elder care.⁴

According to a 1997 study by the National Alliance for Caregiving and AARP, 23% of US household are involved with giving informal care to friends or family over age 50. Of those caregivers, 70% are female, and 64% are employed, 31% are caring for their own mother, 9% are caring for their mother-in-law, and 12% for a grandmother. Three-fourths of primary care givers have help, usually from a daughter or other family member.⁵ A separate Department of Labor study found that more than 4 million households spend at least 40 hours per week caring for an elder, and 1.6 million households spend 20 to 40 hours per week.⁶

Working Women

Several interrelated workforce issues pushed family leave to a prominent place on the public agenda during the 1990s. The most obvious of these was the widespread participation of women in the workforce. In 1976, only 31% of mothers of infants had jobs outside the home. By 1998, 73% of mothers with children between the ages of one year and 18, and 59% of mothers of infants were in the workforce. The percentage of new mothers with jobs slipped in 2000 to 55% after several decades of climbing, but remained at historically high levels.⁷

The proportion of single-parent households in the U.S. has more than doubled over the past three decades. In 1970, 12% of households with children were headed by a single parent. By 1998, the proportion had grown to 28%. Eighty percent of single parents are women.⁸ The proportion of employed single mothers increased from 53% in 1969 to 66% in 1996.⁹

THE NEED FOR PAID LEAVE

The 1996 Welfare reform act, which emphasizes work as the top priority for recipients of public assistance, has pushed even more single mothers into the workforce. Between 1996 and 2000, the number of mothers receiving Temporary Assistance to Needy Families fell in half.¹⁰ Many of these women entered jobs with low pay and often with little or no vacation, sick leave, or other benefits that might help them balance work and family commitments.¹¹

A recent study concluded that today's working mothers spend just as much time each day with their children as non-working mothers did in the 1960s – but they spend considerably less time sleeping, engaged in leisure activities, or doing housework.¹² Few working women have any slack in their daily schedule to provide additional care to family members who are ill, without reducing their hours at work.

Declining Wages

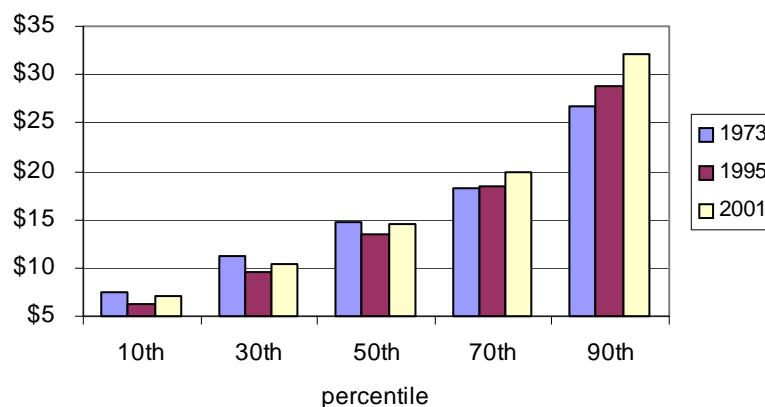
Women entered the workforce as men's real wages stagnated or declined. After decades of steady growth through the mid-20th century, real wages stagnated or fell for fully 80% of male wage earners between 1973 and 1995. Only the top 20% of male workers saw real gains in

income during this period. With a booming economy and low unemployment rates between 1995 and 2001, men in all income groups again began earning higher wages. Despite that period of increase, in 2001 a man earning the median wage or lower earned less than a comparable man during the 1970s, and the recession of 2001-2002 has begun to erode the gains of the late 1990s.¹³

More Work Hours and Fewer Benefits

Typical families during the 1980s and much of the 1990s were able to increase their income only by working more hours. According to a United Nations study, Americans work more hours annually than workers in any other industrialized nation. And while workers in Europe, Canada, and Japan worked fewer hours in 2000 than in 1990, Americans added a full week of work each year over that decade.¹⁴ In a number of major industries, the standard workweek in the U.S. is over 40 hours. The proportion of men reporting working more than 40 hours per week increased from 35% in 1979 to 40%

Real Wages for Male Workers by Wage Percentile, 1973-2001



United States Workers with Paid Leave		
	Paid Vacation	Paid Sick Leave
All Workers	76%	51%
Private sector workers:¹⁹	79%	53%
Full-time	90%	63%
Part-time	43%	19%
Private sector workers:		
Professional/technical	88%	81%
Construction	63%	22%
Retail	64%	34%
Public sector workers:²⁰		
Full-time	67%	96%
Part-time	19%	43%
Former welfare recipients²¹ (Washington WorkFirst participants)	37%	30%

in 1998. Among women, the proportion rose from 14% to 22%.¹⁵ By the year 2000, middle-income, married couples with children on average worked a full 20 weeks more each year than such couples in 1970.¹⁶ Single-parent households saw an even larger increase in hours on the job. While two-parent households spent 18% more time at work in 1998 than in 1969, single-parent households worked 28% longer.

While the average workweek grew longer, the amount of paid leave available to workers declined during the 1980s and 1990s. In 1979, nearly all workers in private firms with more than 100 employees had paid holidays and paid vacations, but by the late 1990s, 10% fewer had paid holidays and 5% fewer had paid vacations. Those with paid holidays also averaged one day less each year.¹⁷

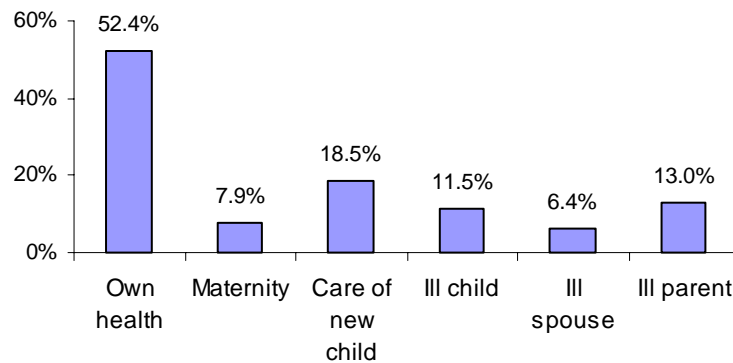
Access to paid leave varies considerably by type of work and full or part-time status, as the above table shows.

Altogether, three-fourths of all workers get paid vacations, but only half get paid sick leave. Full-time workers with paid leave average 11 days of sick leave and 10 days of vacation annually after one year on the job. After five years, the averages increase to 15 days of sick leave and 14 days of vacation.¹⁸

Employers' investments in other fringe benefits, notably pensions and health insurance, have also declined, adding significantly to the economic pressures on families. In 1979, 97% of workers in private firms with over 100 employees had an employer-sponsored health plan. That percentage fell to 76% by 1997, and the percentage of these workers who had some kind of co-payment increased from 27% to 69% for individual coverage, and from 46% to 80% for family coverage. Workers in smaller companies are much less likely to have employer-sponsored health insurance. Overall, only 53% of workers are covered by health insurance on the job.²²❖

PUBLIC POLICY RESPONSE

Family and Medical Reasons That Workers Took Leave²⁵



The Family and Medical Leave Act of 1993

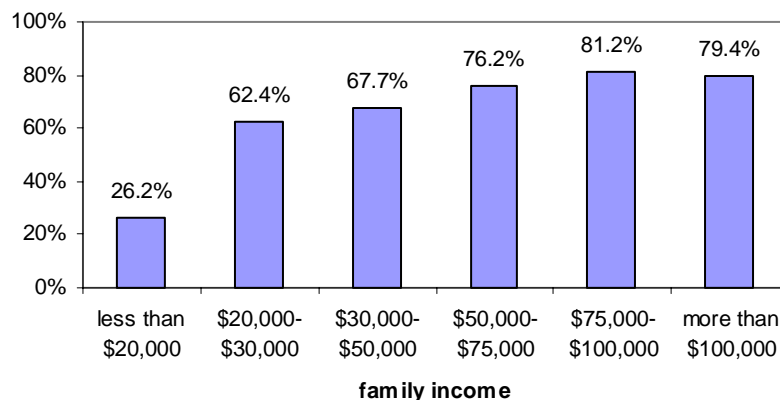
The Family and Medical Leave Act (FMLA) of 1993 sets the standard in the American workplace today. The act applies to companies with 50 or more workers and public employers. It provides for up to 12 weeks of leave following the birth or adoption of a child, or because of the serious medical condition of the worker or the worker’s child, spouse, or parent. Workers are eligible only if they have been with their employer at least one year, and worked at least 1,250 hours. An employer must protect the job and continue health insurance, but is under

no obligation to pay an employee who is on family or medical leave. It is up to the employer to decide if a worker can collect pay by using sick leave or other paid time off while on FMLA leave.

These restrictions mean that only about 40% of workers are covered by the protections of the FMLA, and that many workers who do take advantage of family leave face serious financial difficulties.²³

According to a major study conducted for the Department of Labor (DOL) in 2000, 16 million American workers took leave for family or medical reasons that year, 6 million of them under the

Percentage of Workers Receiving Some Pay While on Leave for Family or Medical Reasons, by Family Income²⁷



FMLA. Just over half were dealing with their own illness. About a quarter of leave takers gave reasons related to maternity disability or caring for a newborn or newly adopted child, while close to one third took leave to care for an ill family member. Some needed to take leave for more than one reason over the course of a year.²⁴

Two-thirds of those taking leave for family or medical reasons receive at least some pay, usually either sick leave or vacation pay. But only 47.5% receive full pay for their entire leave period, and lower income workers – typically with the fewest other resources to fall back on – are the least likely to receive pay while on leave. Women, young, African-American, and never-married workers are also less likely to receive pay while on leave than other workers. Not surprisingly, nearly 60% of workers reported difficulty making ends meet while on leave.²⁶

Business Experience

Many major business organizations staunchly opposed passage of the FMLA and made dire predictions about the probable effects on business profitability and the willingness of companies to hire women. However, the seven years following passage of the FMLA saw both a prolonged economic boom and record numbers of women entering the labor force.

Two major national studies of the impact of the FMLA on businesses conducted in 1996 and 2000 indicate that a relatively small percentage of companies had negative experiences with the FMLA, and those were frequently balanced by positive outcomes in other areas. The 2000 DOL study found that employers covered by the FMLA generally had an easy time administering the law, and that it had little if any affect on business profitability.²⁸ According to a separate study conducted by the University of California and William Mercer, Inc., 30% of employers found that the FMLA improved employee morale, 13% reported a beneficial effect on hiring, and 14% noted a positive impact on public relations, while almost no businesses reported negative effects in these areas.²⁹

Other studies have found that providing family-friendly benefits in general improves workers' commitment, morale, and productivity, and thus a company's profitability. One recent economic analysis found that providing workers with paid time off to care for sick family members in particular resulted in increased profits for the employer.³¹

Effects of the FMLA on Employers³⁰

	Profitability	Productivity	Turnover	Morale
Positive effect	2.6%	15.8%	5.7%	24.2%
Negative effect	9.8%	17.2%	8.4%	11.1%
No noticeable effect	87.6%	67%	85.9%	64.7%

Continuing Advocacy: Options for Paid Leave

As limited as the FMLA is, it took nearly ten years of advocacy by a broad coalition spearheaded by the Women's Legal Defense Fund (now the National Partnership for Women and Families) before it was signed into law. The precursor of the act was first introduced in Congress in 1985. After significant compromise, the bill passed Congress twice, only to be vetoed by President George Bush. In the meantime, several states began to adopt their own versions of family and medical leave, including Washington in 1988 and 1989. Finally in February 1993, the FMLA was the first bill signed into law by President Clinton.³²

Since the FMLA's passage, several states have extended its protections to additional workers. For example, Oregon law covers workers in companies with 25 or more employees who have been on the job for at least six months (compared to the 50-employee size and one year thresholds set by the FMLA.) Other states, including Massachusetts, New Hampshire, Iowa, Minnesota, and Vermont, require smaller companies to provide parental leave.³³ (See Appendix, Family Leave in the States.)

Since the mid-1990s, over half the states have considered proposals for some form of paid family leave. These efforts have built strong coalitions, typically including groups representing labor, women, health professionals, children, seniors, and faith communities. They have been successful in having legislation introduced and generating significant debate and media attention. However, organized business interests in general have strongly fought these efforts. As a result, little legislation has actually passed.³⁴

Advocates have generally focused on three main avenues for funding paid leave: through the unemployment insurance system, through the expansion of an existing or creation of a new temporary disability/family leave insurance program, or through general state revenues.

Paid Family Leave Through Unemployment Insurance (UI)

Many states have considered legislation to make new parents eligible to collect unemployment insurance for some period of time. A few have considered proposals to extend unemployment insurance to anyone eligible for leave under the FMLA. The UI approach received additional impetus in 2000 when the U.S. Department of Labor issued regulations clarifying that making new parents eligible for up to 12 weeks of unemployment insurance would not be considered a violation of federal UI rules. Massachusetts came close to becoming the first state to adopt such a program in 2000 when both chambers of the state legislature passed a bill, but Governor Paul Cellucci refused to sign it.

Paid Family Leave through Temporary Disability Insurance

Five states, California, New York, New Jersey, Rhode Island, and Hawaii, in addition to Puerto Rico, have had temporary disability insurance (TDI) programs in place since the mid-20th century. These programs provide partial wage replacement to workers with an illness or disability unrelated to work that prevents them from working. In the 1970s, these programs were extended to include disability related to pregnancy and childbirth, essentially providing women who gave birth with a period of paid maternity leave.

Several states with TDI programs already in place have considered expanding them to cover parental leave more generally as well as leave to care for ill family members. In September 2002, California became the first state to actually do so when Governor Gray Davis signed Senate Bill 1661 into law. Beginning in July 2004, California workers will be eligible for up to six weeks of partial pay after a one week waiting period, when taking time off work to care for a seriously ill child, spouse, parent, or domestic partner, or to bond with a new child. Benefits will be financed by payroll deductions paid by workers.³⁵

Other states, including Washington and Massachusetts, have considered establishing new state-run insurance

programs that would include both the worker's disability and family leave coverage.

Paid Family Leave Through State General Funds

Several states have considered options for the state to finance a considerable portion of family leave. Minnesota and Montana do this directly for low-income parents through at-home-infant-care programs, where certain low-income parents may receive pay to care for their infants rather than the state subsidizing day care while the parents work. Other states have considered establishing programs where the state and employers would share costs for paying workers a reduced income while on family leave.❖

WASHINGTON STATE'S EXPERIENCE

Background

Washington state was among the first to enact family leave laws in the 1980s, while the FMLA languished in Congress. In 1988, the state Legislature passed a bill, referred to as the Family Care bill, requiring employers to allow workers to use accrued sick leave to care for a child under the age of 18 with a health condition requiring treatment or supervision. The Legislature found then that balancing the needs of families and the demands of the workplace promoted both family stability and economic security, and that “it is in the public interest for employers to accommodate employees by providing reasonable leaves from work for family reasons.”³⁶

The following year, in 1989, the Legislature went a step further by providing for up to 12 weeks leave in any 24 month period to care for a newborn or newly adopted child under the age of six, or a terminally ill child under the age of 18. Workers were covered if they had worked continuously for the previous 52 weeks for at least 35 hours per week, and worked for companies of 100 or more employees or public employers.³⁷ This law was largely superceded by the FMLA, which passed Congress four years later.

In 1999, a coalition again came together in Washington state to explore options for paid family leave, convened by the Economic Opportunity Institute, a non-profit policy institute. Many of the individuals and organizations that had been active in advocating for the first leave laws a decade earlier remained involved, including groups representing labor, women, children, seniors, medical professionals, and faith communities.

Policy Evolution

Starting with “Baby UI”

As in most other states, Washington’s paid family leave advocates first looked to the unemployment insurance system. A proposal introduced as legislation in both 1999 and 2000 would have allowed working parents to collect unemployment benefits for up to five weeks following the birth or adoption of a child. With a healthy \$2 billion trust fund and business groups clamoring for UI tax cuts, the system seemed able to absorb the relatively small cost of such a program, estimated to be between \$10 million and \$14 million annually.³⁸

The “baby UI” proposal received the endorsement of the Senate Labor Committee in 2000. However, the long history of contention over benefit and tax levels in the UI system and the adamant opposition of business lobbyists to expanding benefits made prospects for passage of even this modest proposal seem dim. At the same time, the aging population and growing number of workers needing to care for aging parents and other family members as well as children argued strongly for a broader proposal. The Family Leave Coalition therefore reevaluated and agreed to adopt a different approach when the Legislature reconvened in 2001.

Family Leave Insurance

Turning to the model of the temporary disability insurance programs already in existence in several states, advocates developed a new, comprehensive Family Leave Insurance (FLI) proposal which was introduced in the 2001 Legislature as H.B. 1520 and S.B. 5420.³⁹ Under this proposal, workers and employers would each pay one cent per hour worked into a new trust fund to be operated by the Department of Labor and Industries alongside the workers’

Washington's 2001 Family Leave Insurance Proposal at a Glance

- ▶ **Funding:**
1 cent per hour payroll tax, paid by workers and matched by employers
 - ▶ **Reasons for leave:**
 - newborn or newly placed adopted or foster child
 - child, spouse, or parent with serious medical condition
 - worker's own serious medical condition
 - ▶ **Eligibility:**
workers with 520 hours of work in previous year
 - ▶ **Benefit:**
\$250 per week for up to 5 weeks, prorated for part-time workers, after a 1 week waiting period
-

compensation program. Workers needing to take leave to care for a new child, for a seriously ill family member, or for their own serious medical condition would be eligible for up to five weeks leave with a benefit of \$250 per week after a one week waiting period. The benefit level would be a little less than what someone would earn working full time at Washington's minimum wage, which was \$6.72 an hour in 2001.

The covered reasons for leave would be the same as those covered by the FMLA, but workers in any size company would be eligible to participate as long as they had at least 520 hours of work within the previous year. For those workers who also qualified for the FMLA, their five weeks of leave under the Family Leave Insurance program would run concurrently with their FMLA leave, that is, they would be eligible for only seven additional weeks of family or medical leave after using their FLI benefit. Those workers not eligible for FMLA but qualifying for FLI would have a new category of job-protected leave.⁴⁰

Under this program, full-time workers and their employers would each

contribute about \$20 per year to the FLI fund. The lowest income workers, typically with the fewest additional assets to fall back on, would receive close to full wage replacement while on family leave. Middle and high earners would have a smaller percentage of their working wages replaced, but would still receive a meaningful benefit. Contributions and benefits of part-time workers would be prorated. EOI estimated that about 70,000 workers each year would make use of the program at a cost of approximately \$72 million.⁴¹

Statewide polling conducted in October 2000 indicated strong support for the proposal across demographic and political lines. Overall, 73% of likely voters said they would vote in favor of an initiative establishing such a program, even after hearing negative arguments. The poll also indicated that people were as concerned about workers' ability to care for aging parents as they were about care for new children.⁴²

House and Senate committees both held hearings on the FLI proposal in 2001, and the issue received considerable positive press coverage.

Building Support Across the State

From 1999 through 2001, broad-based and strategic efforts built interest and support across the state for paid family leave.

Coalition Building

The Washington Coalition for Family Leave includes a core group, that meets regularly to evaluate specific proposals and develop strategy, and a much larger group of organizations that is more active just before and during legislative sessions, educating their membership through newsletters, e-mail updates, and public forums, contacting legislators, and identifying individuals with personal stories. In each legislative session as a bill was introduced, new organizations were recruited into the coalition. By the 2002 legislative session, 32 diverse organizations had signed on. Efforts were also made to develop and maintain contacts with branches of coalition organizations across the state.

Media Work

Introduction of legislation and committee hearings provided opportunities for press releases, press conferences, opinion pieces, letters to the editor, and radio interviews. In January 2001 as the Family Leave Insurance proposal was introduced, the Economic Opportunity Institute (EOI) coordinated a seven-city statewide media tour featuring Cathy Ruckelshaus of the National Employment Law Project and Marilyn Watkins of EOI that included interviews with editorial boards and business writers and radio interviews. Most of the resulting media coverage was quite positive.

Public Forums

In addition to presentations to the membership of coalition organizations,

the Family Leave Coalition sponsored two public forums, one in the Seattle area in the fall of 2000 and another in Spokane in the fall of 2001. These forums generated broad discussion, drew additional organizations into the coalition, and provided an opportunity for members of the Legislature to hear the personal concerns and stories of a number of constituents.

Advocacy with Legislators

The broad and diverse Family Leave Coalition meant both that legislators were urged to support family leave proposals by multiple constituent groups, and that particular key legislators could be approached by organizations or individuals most likely to receive a sympathetic hearing. The series of committee hearings and work sessions held on the issue over several years allowed committee members to hear from policy experts and individuals with personal stories to tell.

The Role of the Economic Opportunity Institute

EOI, a non-profit public policy institute, convened meetings and coordinated the work of the coalition; conducted in-depth background research; developed policy alternatives; made cost estimates; provided talking points, fact sheets, and newsletter articles for advocates; conducted polls; coordinated testimony for legislative hearings; developed and carried out media strategy; and maintained contact with national organizations and groups in other states involved with the issue.

Winning the Family Care Bill

Developing a Workable Proposal

Buoyed by productive legislative hearings, positive media coverage, and highly favorable polling, the Washington Coalition for Family Leave agreed at the close of the 2001 legislative session to advocate for

passage of the same Family Leave Insurance proposal in 2002, and to consider taking a ballot initiative to the people of the state if the Legislature refused to act. However, by the fall of 2001 it became clear that a very different strategy would be necessary.

The national recession hit the state particularly hard. From the fall of 2001 through 2002, Washington suffered one of the highest unemployment rates in the country. Washington state's budget crisis was even more severe than in most other states, and city and county governments faced even worse circumstances. Although coalition members remained highly committed to enacting family leave insurance, staving off layoffs and devastating cuts in public services became a much higher priority. Also at issue was the fact that the FLI proposal would require public employers to pay into the family leave trust fund like all other employers. Even though the cost would be relatively modest, a proposal to devote public money to a new program while existing worthy programs faced cuts seemed doomed to failure.

Although in many ways the situation seemed discouraging, the November 2001 elections opened a new opportunity. For the first time in seven years, the Democratic party won control of the House of Representatives, although by the narrowest possible margin. The new House leadership indicated a willingness to put passage of a family leave proposal high on their legislative agenda - so long as it required no new public funding given the looming budget crisis, and could win the support of moderates of both parties.

The Family Leave Coalition considered several options, using the criteria that the proposal:

- provide a real new benefit to workers;

- not cost public funds;
- be passable in 2002 given the particular make-up of the state Legislature.

The two options that rose to the top were enacting a state version of the FMLA that would extend coverage to smaller employers or expanding the 1988 Family Care bill. After several rounds of frank discussion within the coalition and with legislative allies, the coalition chose to advocate for expansion of the Family Care bill.

The original Family Care bill required employers to allow workers to use accrued sick leave to care for a child under the age of 18 with a health condition requiring treatment or supervision. The 2002 proposal would:

1. expand the class of family members covered to include a disabled child over 18, spouses, parents, parents-in-law, and grandparents, and also clarify that the parent-child relationship extended to those standing in loco parentis;
2. expand the types of leave covered to include paid time off, defined as time allowed to the employee for illness, vacation, or personal holiday;
3. give the worker the choice of which type of leave to take (under the FMLA, employers are empowered with deciding whether, and which type, of paid leave workers can use while on FMLA leave);
4. prohibit disciplinary or discriminatory action against workers who exercised their rights.

Building a Winning Coalition

As the 2002 legislative session approached, the coalition worked hard to inform their own members about the Family Care bill and recruited new organizations to lend support. A delegation from the coalition representing the range of organizations met with Governor Gary Locke, who agreed to support the bill. Coalition members briefed moderates in both parties about the bill and urged them to sign on as legislative sponsors. Consequently, the bill was introduced with bipartisan sponsorship in both chambers. The coalition met with every member of the Senate and House committees that would hear the bill, and identified individuals with personal stories that illustrated the bill's necessity. Coalition members also worked behind the scenes to minimize the number of lobbying groups that would come out opposed to the bill.

A January, 2002 poll showed 83% of Washington residents favored the Family Care bill. Nevertheless, the bill initially met spirited resistance in the Legislature. Several key business lobbies strongly opposed the bill and worked hard to pressure legislators to vote against it. The bill passed out of House and Senate committees and was then approved by each body, but each body amended the bill in different ways. With both chambers rushing to complete a number of controversial bills in the closing days of the session, it was not clear if the House and Senate would be able to reach agreement on a final version of the Family Care bill to send on to the governor. In the end, coalition members and bill sponsors agreed to further amendments to the bill in order to assure the continued support of moderate legislators, but refused to accept any amendment that would diminish existing rights of parents to take sick leave to care for a

sick child. Consensus was reached on the following amendments:

- parallel the “serious health condition” language of the FMLA for family members other than a child, while keeping the original bill’s “health condition that requires treatment or supervision” standard for children;
- specify that workers needed to comply with the applicable terms of their collective bargaining agreement or employer policy concerning the type of leave they were using, such as by giving proper notice or providing a doctor’s note;
- and postpone the implementation date from the standard 90 days after passage to January 2003.

Victory

Because of these changes, the key business lobbies withdrew opposition, and made their change of position known to legislators. In the end, legislators who had voted against the bill in committee spoke in favor of it on the floor. The House of Representatives supported the amended bill unanimously, and the Senate then voted 41 to 4 in favor of the amended bill. On March 29, 2002, Governor Gary Locke signed the Family Care bill into law.⁴³

Several factors were important in the bill’s success:

1. It is good and timely policy. Even those initially opposed to the bill had a personal story of family members needing and providing care.
2. A large and diverse coalition backed the bill and committed both time and political capital to

assuring its passage, notably labor and women's organizations, augmented by faith, physician's, senior, child advocacy, and other groups.

3. One organization, the Economic Opportunity Institute, took the lead, coordinating the coalition, conducting research and policy analysis, distributing information, providing media and communications support, and coordinating testimony.
4. Several legislators took a strong interest in the bill, including prime sponsors Senator Karen Keiser and Representative Mary Lou Dickerson, and House Commerce and Labor Committee Chair Steve Conway. They worked hard to build support on both sides of the aisle and move the bill through the process. House leadership and the governor also supported the bill from the beginning.
5. The policy was strategically chosen by the coalition prior to the start of the legislative session. The bill was deliberately crafted to take as big a step forward as seemed possible while still having a good chance of success, given the particular make-up and issues facing the legislature. In this case, the 2002 Washington Legislature had the slimmest possible Democratic majority with a moderate Democratic governor, and was facing a large budget deficit that resulted in major and painful cuts to government services.

Next Steps – Minimum Paid Annual Leave and Family Leave Insurance

Establishing a comprehensive family leave insurance program accessible to all workers in the state remains an

important goal of the Washington Coalition for Family Leave. California's adoption of a new family leave benefit that is similar in many ways to Washington's 2001 Family Leave Insurance proposal should make it easier for Washington to move forward with its own program.⁴⁴ However, the continuing recession and on-going state budget crisis will be the dominant issues for the Washington Legislature in 2003 as they were in 2002. Assessing the situation in the summer of 2002, the coalition wanted to again focus on an option that would not cost new public money, while capitalizing on the successful passage of the Family Care bill. A proposal to create a standard for minimum paid annual leave seemed the logical follow up.

Arguments for establishing minimum paid leave are many. Overall, about one-fourth of all workers lack paid vacations, and half have no paid sick leave. Lower wage earners are the least likely to have leave or other benefits, and typically have few if any resources to fall back on in times of family illness or other crisis. Part-time workers, and workers in construction and retail are also unlikely to have access to paid leave.⁴⁵ The shifts in welfare policy are pushing even more low-income parents into the workforce, but often into jobs with low pay and no benefits. A recent study of Washington state's WorkFirst program found that only about one-third of these former welfare recipients who were working had paid vacations and sick leave.⁴⁶ Local and national studies confirm that former welfare recipients who move initially into high-quality jobs that include employer provided benefits are almost twice more likely to stay employed than those who get jobs with poor pay and no benefits.⁴⁷

Legally Required Days of Paid Annual Leave in Other Countries

France	30	United Kingdom	20
Spain	30	Netherlands	20
Sweden	25	Italy	20
Finland	24	Germany	20
Norway	21	Canada	10

Paid leave from work contributes significantly to workers’ ability to maintain their own health, care for their families, contribute to their communities, and maintain financial stability, while remaining productive members of the workforce. Workers without access to paid leave often have little choice but to quit their jobs during times of serious illness or other family crisis. Workers who must go to work ill or when in the midst of a family emergency can compromise both work place efficiency and safety.

Legally required annual paid leaves are the norm in other advanced economies. In Europe, collectively bargained annual leaves average about four days longer than the statutory requirement.⁴⁸

While standards for minimum paid leave have not been established in the United States, standards for minimum wages are widely accepted. Washington has led the nation in minimum wage legislation. A citizen initiative in 1998 raised the state minimum wage and provided for annual cost of living adjustments. Washington’s minimum wage in 2002 is \$6.90, compared to the federal minimum of \$5.15.

Minimum paid leave legislation makes sense now:

- The majority of parents are in the workforce.
- Our population is aging, putting more pressure on workers to spend time caring for ailing family members.

- Public policy is pushing more low-income parents into low quality jobs.
- The average work week continues to lengthen.
- Paid leave leads to healthier children, healthier families, and healthier communities.
- Paid leave is good for the business bottom line.⁴⁹

Minimum paid leave would be subject to the Family Care law, that is available to the employee during periods of family illness. The Washington Coalition for Family Leave’s initial Minimum Paid Annual Leave proposal has these provisions:

- Require all employers in the state to provide a minimum of 5 paid days of leave annually for all workers after 6 months employment and 10 paid days of leave after 1 year employment (pro rated for part time workers).
- Allow employers to adopt reasonable policies concerning notice, scheduling, certification of medical conditions, etc.
- Not limit the right of collective bargaining agreements or employer policies to provide paid leave above the minimum.

The Family Leave Coalition plans to continue its public education and media outreach efforts, and to work through the legislative process to adopt a minimum paid leave policy and a Family Leave Insurance program for all of Washington’s workers.❖

When the FMLA was signed into law in 1993, many of the bill's supporters believed that this was only the first step forward for working families, and that paid family leave for all workers would follow. However, despite the economic boom of the 1990s, and despite strong advocacy in the states and nationally, only incremental progress has been made over the past decade in family leave policies. In the meantime, the percentages of working women and working parents have continued to rise, the number of hours Americans spend at work has increased, and workplace benefits overall have fallen. Arguably, the majority of American workers and families are even more strapped now than they were before passage of the FMLA.

Although independent studies confirm that family-friendly policies overall are good for business, business associations for the most part have remained implacably opposed to any legally mandated expansion of family leave benefits, and have even lobbied to scale back existing worker protections. Bills have been introduced in Congress to expand the FMLA to cover a larger segment of the workforce, and to cover such activities as parent-teacher conferences.⁵⁰ But there seems little chance of such a bill's passage prior to 2005, or of other significant progress at

the federal level. Progress, if it comes, will be in the states.

Legislation has been introduced in the majority of states to expand some aspect of family or medical leave and to create programs of paid family leave. Most of these efforts have failed, but considerable incremental progress has been made. California has now taken a major step forward in adopting a nearly universal paid family leave program, that may well encourage other states to bolder action in the long run. However, few other states have a temporary disability insurance system already in place to build upon, and recession and budget cuts are dominating most legislative agendas. As the experience in Washington state demonstrates, strategically working through the particular political landscape with strong coalitions, carefully crafted policies, grassroots advocacy, and media campaigns can still result in the passage of policies that support working families.

The need for extending family leave protections to all workers and providing income support for workers on extended family leaves is greater now than ever. Each step closer to achieving these goals in any one state brings us closer to achieving them for all American workers. ❖

CONCLUSION

Notes

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- ² A comprehensive survey of scientific literature on early child development is provided by *From Neurons to Neighborhoods: The Science of Early Childhood Development*, Jack P. Shonkoff and Deborah A. Phillips, eds., (Washington, D.C.: National Academy Press, 2000).
- ³ Jody Heymann, *The Widening Gap: Why America's Working Families are in Jeopardy – and What Can Be Done About It*, Basic Books, 2000, p. 115.
- ⁴ Donna L. Wagner, "Comparative Analysis of Caregiver Data for Caregivers to the Elderly 1987 and 1997," June 1997.
- ⁵ National Alliance for Caregiving and AARP, "Family Caregiving in the U.S.: Findings from a National Survey," <http://www.caregiving.org/content/reports/finalreport.pdf>.
- ⁶ U.S. Department of Labor, "Futurework – Trends and Challenges for Work in the 21st Century."
- ⁷ U.S. Census Bureau, "Record Share of New Mothers in Labor Force," October 24, 2000, www.census.gov/Press-Release/www/2000/cb00-175.html; "Labor Force Participation for Mothers with Infants declines for First Time," October 18, 2001, www.census.gov/Press-Release/www/2001/cbo1-170.html.
- ⁸ <http://www.census.gov/population/socdemo/ms-la/tabch-1.txt> U.S. Bureau of the Census, "Population Characteristics: Marital Status and Living Arrangements," January 1999.
- ⁹ U.S. Department of Labor, "Futurework – Trends and Challenges for Work in the 21st Century," <http://stats.bls.gov/news.release/famee.nws.htm> Labor Force Statistics from the Bureau of Labor Statistics, "Employment Characteristics of Families Summary," 1998 figures.
- ¹⁰ U.S. Census Bureau, "Number of Mothers on Welfare Decreases," June 6, 2002, www.census.gov/Press-Release/www/2002/cb02-77.html.
- ¹¹ Marieka M. Klawitter, "WorkFirst Study: Employment," 2001. (<http://www.wa.gov/WORKFIRST/about/STudyEmployment.pdf>)
- ¹² Suzanne M. Bianchi, "Maternal Employment and Time with Children," 2000 Presidential Address, Population Association of America, March 24, 2000; Nes release, University of Maryland, "Modern Maternal Employment Not a Drain on Time Spent with Kids," March 24, 2000, <http://www.inform.umd.edu/newsdesk/releases/2000/00034r.html>.
- ¹³ The long term decline in earnings is for income groups rather than for individuals. That is, male earners at any given point in the bottom 80% of earners earned less in 1995 than comparable earners in 1973. Lawrence Mishel, Jared Bernstein, and Heather Boushey, *The State of Working America, 2002-2003*, Economic Policy Institute, September 2002 p. 128. For the decline in earnings in 2001 see U.S. Census, "Poverty Rate Rises, Household Income Declines," September 24, 2002, <http://www.census.gov/Press-Release/www/2002/cb02-124.html>.
- ¹⁴ *Seattle Post Intelligencer*, "We aren't whining, we do work too much," Sept. 1, 2001.
- ¹⁵ U.S. Department of Labor, "Futurework – Trends and Challenges for Work in the 21st Century."
- ¹⁶ Mishel, et al, *State of Working America*, p. 14, 238-242.
- ¹⁷ Mishel, et al, *State of Working America*, p. 14, 247-249.
- ¹⁸ Bureau of Labor Statistics, "Employee Benefits in Medium and Large Private Establishments, 1997," January 7, 1999.
- ¹⁹ Bureau of Labor Statistics, "Employee Benefits in Private Industry, 1999," *News*, December 19, 2001. <http://www.bls.gov/ncs/ebs/sp/ebnr0006.pdf>
- ²⁰ Bureau of Labor Statistics, "Employee Benefits Survey Technical Note," *Compensation and Working Conditions, Winter 2000*. <http://www.bls.gov/opub/cwc/2000/winter/ebstable.pdf>
- ²¹ Marieka M. Klawitter, "WorkFirst Study: Employment," 2001. (<http://www.wa.gov/WORKFIRST/about/STudyEmployment.pdf>)
- ²² Mishel, et al, *State of Working America*, p. 248.
- ²³ U.S. Department of Labor, *Balancing the Needs of Families and Employers: Family and Medical Leave Surveys, 2000 Update*, (Rockville, MD: Westat, January, 2001), pp. 3.2, 2.13.
- ²⁴ DOL, *Balancing the Needs*, 2.4.
- ²⁵ These data are for workers who took leave for reasons covered by the FMLA, whether or not the worker or employer were covered by FMLA. DOL, *Balancing the Needs*, 2.4.
- ²⁶ DOL, *Balancing the Needs*, pp.4.5-4.7, Tables A2-4.1 and A2-4.2.
- ²⁷ DOL, *Balancing the Needs*, Table A2-4.1.
- ²⁸ DOL, *Balancing the Needs*, pp. 6.9-6.11.
- ²⁹ Andrew E. Scharlach and Blanche Grosswald, "The Family and Medical Leave Act of 1993."
- ³⁰ DOL, *Balancing the Needs*, pp. 6.9-6.11.
- ³¹ Christine Siegwath Meyer, et al, "Work-Family Benefits: Which Ones Maximize Profits?" *Journal of Managerial Issues*, vol. XIII, No. 1, Spring 2001: 28-44. See also Children's Defense Fund-Minnesota, "Parental Leave in Minnesota: A Survey of Employers," Winter 2000, <http://www.cdf-mn.org/PDF/>

Publications/ParentalLeave.pdf; Families and Work Institute, Business Work-Life Study, 1998, <http://www.familiesandwork.org/summary/worklife.pdf>; *Chicago Tribune*, "Limits of Family Leave: Top 100 Companies," May 4, 1999; James S. Boles, et al, "An Investigation into the Inter-Relationships of Work-Family Conflict, Family-Work Conflict, and Work Satisfaction," *Journal of Managerial Issues*, vol. XIII, No. 1, Fall 2001.

³² Donna R. Lenhoff and Lissa Bell, "Government Support for Working Families and for Communities: Family and Medical Leave as a Case Study," in Christopher Beem and Jody Heymann, eds., *Learning from the Past – Looking to the Future*, Work, Family and Democracy Project, 2002; National Partnership for Women & Families, "What It Took to Pass the Family and Medical Leave Act: A Nine-Year Campaign Pays Off," <http://www.nationalpartnership.org/content.cfm?L1=202&DBT=Documents&NewsItemID=275>.

³³ Vermont covers employees of 15 or more for all FMLA leave, and 10 or more for birth or adoption; District of Columbia covers employers of 20 or more for all leave; Hawaii, Montana, and Puerto Rico cover all employees for maternity disability, and Kentucky covers all employees for adoption. Altogether, at least 15 states cover more employers than the FMLA. National Partnership, "State Family Leave Laws that Are More Expansive than the Federal Family and Medical Leave Act," www.nationalpartnership.org.

³⁴ Examples of opposition to forms of paid family leave include National Federation of Independent Business, <http://www.nfibonline.com/cgi-bin/NFIB.dll/public/advocacy/>

National Center for Policy Analysis, <http://www.ncpa.org/ba/ba312/ba312.html>

³⁵ In the California program, only workers covered by the FMLA will have job protection while on family leave. The typical worker will pay about \$27 a year, starting in January of 2004, and will receive about 55% of their working income while on family leave. Text of California Senate Bill 1661 is available at <http://www.assembly.ca.gov/acs/acsframeset2text.htm>.

³⁶ RCW 49.12.270.

³⁷ RCW 49.78.010.

³⁸ The Economic Opportunity Institute developed those cost estimates. For methodology, see "Program Option: Family Leave for Newborn or Newly Adopted Child, 5 Weeks," <http://www.eoionline.org/pflcost.htm>.

³⁹ For text of bill see, <http://www.leg.wa.gov/pub/billinfo/2001-02/house/1500-1524/1520.pdf>.

⁴⁰ Washington's proposal is similar to the program adopted in California in 2002, but differs in several respects. In Washington's plan, workers and employers would share the cost and all workers would have job protection, while in California workers pay the full cost and only those covered by FMLA have job protection.

⁴¹ Washington's workforce is about 3 million. For methodology for cost estimates see <http://www.eoionline.org/FLI-PolicyBrief2000-AppendixB.htm>.

⁴² <http://www.eoionline.org/FLI-PolicyBrief2000-AppendixA.htm>

⁴³ Text of the final bill is available at: http://www.leg.wa.gov/pub/billinfo/2001-02/Senate/6425-6449/6426-s_sl.pdf; Governor Locke signs Family Care Bill into law: <http://www.eoionline.org/FLI-FamilyCareBill2002Signed.htm>

⁴⁴ California's plan adds a new benefit within the state Short Term Disability Insurance Program, of 6 weeks of up to 6 weeks partially paid leave for new parents or workers caring for ill family members. Unlike under Washington's proposal, in the California plan workers pay the entire premium and workers not covered by the FMLA get no job protection.

⁴⁵ Bureau of Labor Statistics, "Employee Benefits in Medium and Large Private Establishments, 1997," January 7, 1999.

⁴⁶ Marieka M. Klawitter, "WorkFirst Study: Employment," 2001 (<http://www.wa.gov/WORKFIRST/about/STudyEmployment.pdf>). A national study found that among workers with family incomes in the lowest quartile, 24% had paid sick leave and 42% vacation, while among workers in the top quartile of family income, 60% had paid sick leave and 72% vacation. (Jody Heymann, *The Widening Gap: Why America's Working Families are in Jeopardy – and What Can Be Done About It*, Basic Books, 2000, p. 115.)

⁴⁷ Heather Boushey, "Staying Employed After Welfare: Work supports and job quality vital to employment tenure and wage growth," Economic Policy Institute, 2002. In this study, ¾ remained employed after two years if they had health benefits, which were used as a proxy for benefits generally, but only about 40% if they did not.

⁴⁸ European Foundation for the Improvement of Living and Working Conditions, "Working Time Developments – Annual Update 2000," www.eurofound.ie/2001/03/update/TN0103999U.html; Human Resources Development Canada, Pamphlet 3 – Annual Vacations, http://info.load-otea.hrdc-drhc.gc.ca/publications/labour_standards/annual.shtml.

⁴⁹ Studies confirm that paid leave available for family care improves business profitability. See Christine Siegwirth Meyer, et al, "Work-Family Benefits: Which Ones Maximize Profits?" *Journal of Managerial Issues*, Spring 2001.

⁵⁰ See the Right Start Act, http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=107_cong_bills&docid=f:s18is.txt.pdf.

Family Leave Activity Across the Country

State	Temporary Disability Insurance-Family Leave Insurance	Unemployment Insurance	Expanded Leave Policies	Other
Arizona		2001 bill introduced to extend UI to care for new child	<ul style="list-style-type: none"> public employees may use sick leave to care for ill family members 2002 bill introduced to allow all workers to use sick leave for illness of child, spouse, or parent 	
California	<ul style="list-style-type: none"> universal disability leave with wage replacement 2002 bill passed providing for 6 weeks of partially paid leave to care for new child or ill family member, beginning 2004, funded by workers 		<ul style="list-style-type: none"> employers must allow use of sick leave to attend to family illness 2000 bill introduced to require minimum of 6 days sick leave if 5+ employees 	1999 act required study of extending TDI to full family leave and raising benefit cap
Colorado			<ul style="list-style-type: none"> public employees may use sick leave to attend to family illness 2001 bill introduced to provide 40 hours leave for parents attending school activities 	
Connecticut			<ul style="list-style-type: none"> bills introduced in 2001 and 2002 to allow public employees to use sick leave to care for a new child or ill family member maternity disability leave in all companies with 3+ employees 	2000 law enacted requiring study of costs and benefits of paid family leave
District of Columbia			Extends full FMLA protections to workers in companies with 20+ employees, expands definition of family members, and allows 16 weeks family leave + 16 weeks disability leave every 2 years	
Florida		2000 and 2001 bills introduced to extend UI to care for new child	public employees may use sick leave to attend to family illness	
Georgia		2001 bill introduced to extend UI to workers on family and medical leave		

State	Temporary Disability Insurance - Family Leave Insurance	Unemployment Insurance	Expanded Leave Policies	Other
Hawaii	<ul style="list-style-type: none"> universal disability leave with wage replacement, including pregnancy/childbirth 2001 and 2002 bills introduced to establish family leave insurance fund with combined employee/ employer contributions 	2001 bill introduced to extend UI to workers on family and medical leave	<ul style="list-style-type: none"> 2001 and 2002 bills introduced allowing workers to use sick leave to attend to family illness includes grandparents and in-laws in FMLA protections 	<ul style="list-style-type: none"> 2001 bill introduced for tax credits to employers providing paid family and medical leave 2002 legislative approval of study comparing sick leave proposals with existing family leave laws
Illinois		<ul style="list-style-type: none"> 2001 and 2002 bills introduced to extend UI to care for new child 2000 bill introduced to provide UI for workers on FMLA leave 2000 commissioned study of UI and family leave 	2002 bill introduced to allow workers to use sick leave to attend to family illness	<ul style="list-style-type: none"> 2001 bill introduced for state to share costs of employers who provide paid family and medical leave 2001 bills introduced to create at-home infant care program for low income parents
Indiana		<ul style="list-style-type: none"> 2001 House passed bipartisan bill to provide up to 12 weeks of UI to care for ill family member 2000 House passed bipartisan bill to provide up to 12 weeks of UI to care for new child 	public employees may use sick leave to attend to family illness	
Iowa			<ul style="list-style-type: none"> public employees may use sick leave to attend to family illness maternity disability leave in all companies with 4+ employees 	<ul style="list-style-type: none"> 2001 bill introduced to establish at-home infant care program 1998 bill introduced to establish fund for family leave
Kansas		2001-2002 bills introduced to provide up to 12 weeks of UI to care for new child	<ul style="list-style-type: none"> public employees may use sick leave to attend to family illness all employers must provide adoption leave (for child under 7) 	
Louisiana		2001 bill introduced to extend UI to care for new child	up to 4 months maternity disability leave in companies of 25+	



State	Temporary Disability Insurance - Family Leave Insurance	Unemployment Insurance	Expanded Leave Policies	Other
Maine			10 weeks every 2 years of family and medical leave in companies with 15+ employees	2001 legislature established committee to study costs and benefits of family and medical leave benefits, reauthorized to continue work in 2002
Maryland		2000, 2001, and 2002 bills introduced to provide up to 12 weeks UI for care of new child	1999 law requires employers to extend leave offered to birth parents to adoptive parents	
Massachusetts	2001 and 2002 bills to provide paid family and medical leave through new TDI system, funded by employer contributions	<ul style="list-style-type: none"> 2000 bill to extend UI to workers on parental leave passed the legislature and was vetoed by the governor 2001 and 2002 bills introduced to extend UI to care for new child 	maternity leave in all companies with 6+ employees	<ul style="list-style-type: none"> 2001 ballot initiative filed for family leave benefits 2001 and 2002 proposals for establishment of new parental leave fund 2001 and 2002 bills introduced to provide tax credits to small and mid-size companies offering paid leave
Minnesota		2000 and 2001 bills introduced to extend UI to care of new child	workers may use sick leave to care for sick children parental leave following birth or adoption in companies with 21+ employees	<ul style="list-style-type: none"> at-home infant care program created in 1998 subsidizes low-income parents to care for child under 1 year old at home 2000 and 2001 proposal for state match if employer voluntarily provides wage replacement during parental leaves
Mississippi		2000 bill introduced to extend UI to care of new child	2002 bill introduced to provide leave for parent-teacher conferences	



State	Temporary Disability Insurance - Family Leave Insurance	Unemployment Insurance	Expanded Leave Policies	Other
Missouri		2000 bill introduced to extend UI to care of new child		<ul style="list-style-type: none"> 2001 bill introduced to give tax credits to companies offering paid family leave limited at-home infant care program since 1998
Montana			all employers must provide leave for maternity disability	pilot at-home infant care program for low income parents established in 2001
Nebraska		2001 and 2002 bills introduced to extend UI to care for new child	public employees may use sick leave to attend to family illness	
New Hampshire	2001 bill introduced to establish new family and disability trust fund financed by employee payroll taxes		<ul style="list-style-type: none"> public employees may use sick leave to attend to family illness maternity disability leave in all companies with 6+ employees 	2000 bill authorized study of broad range of family leave funding options
New Jersey	<ul style="list-style-type: none"> universal disability leave with wage replacement, including pregnancy/childbirth 2000 and 2002 bills introduced to extend TDI to full family leave 	2000 bills introduced to extend UI to care for new child		
New Mexico		2001 bill introduced to extend UI to care for new child		2002 legislature authorized study of costs and benefits of paid family leave
New York	<ul style="list-style-type: none"> universal temporary disability leave with wage replacement, 1999, 2000, 2001 and 2002 bills introduced to cover family leave in TDI program 	2002 bill introduced to extend UI to FMLA leave		family leave benefits study included in 2000 state budget
Oklahoma			2001 law allows state employees to use sick leave for family leave, and establishes sick leave bank to cover family and medical leave	



State	Temporary Disability Insurance - Family Leave Insurance	Unemployment Insurance	Expanded Leave Policies	Other
Oregon		2001 bill introduced to extend UI to care for new child	<ul style="list-style-type: none"> • Extends full FMLA protections to workers in companies with 25+ employees who have worked 6 months, and includes in-laws • 12 weeks of maternity disability leave in addition to FMLA 	2001 legislation established task force to study paid leave for new parents
Pennsylvania		2000 and 2001 bills introduced to extend UI to care for new child		
Puerto Rico	universal disability leave with wage replacement, including pregnancy & childbirth		employers must continue half salary at least 8 weeks for women on maternity disability leave	
Rhode Island	universal disability leave with wage replacement, including pregnancy/childbirth			
Tennessee			4 months for maternity disability	
Texas		2001 bill introduced to extend UI to care for new child	public employees may use sick leave to attend to family illness	
Vermont		2000 Senate passed but House defeated bill to extend UI to care for new child	<ul style="list-style-type: none"> • parental leave following birth or adoption in companies with 10+ employees • leave to care for an ill family member or the worker's medical condition in companies of 15+ employees • includes in-laws in FMLA protections 	2000 and 2001 proposals for pilot program of paid parental leave, financed through state general fund
Virginia				Study of paid leave for state workers on FMLA leave undertaken in 2000
Washington	2001 bill introduced to provide 5 weeks of paid family and medical leave through new Family and Medical Leave Insurance system, funded through penny an hour payroll tax paid by both workers and employers	1999 and 2000 legislation introduced to provide up to 5 weeks of UI for care of new child	2002 law passed allowing all workers to use sick leave, vacation, or personal holiday to care for a sick child, spouse, parent, parent-in-law, or grandparent (expansion of a 1988 law allowing use of sick leave to care for a sick child)	