

A group of New Jersey labor and consumer advocates is calling for the state to follow California's lead and give workers paid family leave. Critics say it would cripple small businesses.

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By the time she had her third child three months ago, real estate agent Deborah Skinner was such a pro at juggling work with family obligations that she took two telephone calls from clients while she was in labor.

But shortly after her son Cole was born, she hurried back to work to help her husband, John, pay the bills — a move she found unsettling.

"If (family leave) was paid, it would have made a huge difference," said Skinner, 37, of Brick. "I hated having to work while he was so young. I had to put him in day care when he was six weeks old."

A coalition of labor and consumer advocates in New Jersey is pressing state legislators for a new law to give workers paid time off to bond with a new child or care for a seriously sick child, spouse or parent.

The system would be modeled after a California law that took effect in 2004. There, workers pay into the state's temporary disability insurance fund, and if they take family leave, receive a portion of their salary while out of work.

Yet critics abound. Since the law would apply to all workers, no matter the size of their company, they say small businesses could routinely have to replace valuable employees. And because small businesses wouldn't be required to hold workers' jobs for them, some workers would be dissuaded from using the program.

"We've always felt family comes first, then the job," said Margery Davidson, who owns an accounting firm in Aberdeen and has four employees. "But I can't lose my company in the process."

As the law stands now, New Jersey workers at companies with 50 or more employees are entitled to 12 weeks of unpaid leave a year through the federal Family and Medical Leave Act. They can bond with a new child or care for a child, spouse or parent with a serious medical condition. They are guaranteed to have a job when they return to work.

New Jersey also is one of five states that provide temporary disability insurance for workers who get sick or injured away from the job. They receive two-thirds of their average weekly salary — up to about \$470 in 2005 — for up to 26 weeks. Their jobs are not protected.

A coalition called NJ Time To Care, which includes about 30 labor and consumer groups, a week ago proposed expanding the state's temporary disability insurance program to give workers paid time off for family-care issues.

Under its proposal, workers would pay a percentage of their wages — 45 cents a week for a minimum-wage worker to \$2.75 a week for someone making \$90,000 or more — to the disability fund. Most workers would pay less than \$1.35 a week, according to the coalition.

Any worker who pays into the fund then would be entitled to two-thirds of their wages — up to about \$470 a week if the law was in effect in 2005 — for 12 weeks. The amount would increase each year to account for the cost of living. And the benefit is tied to the state's average wage, so if wages rise, so will the amount workers pay.

The idea is fashioned after a California law in which workers increased their contribution into that state's temporary disability insurance fund by .08 percent for two years. In 2005, it meant about 1.08 percent of their paycheck went into the fund, although the amount changes each year depending on how much is in the fund, said Loree Levy, a spokeswoman for the California Employment Development Department in Sacramento.

In return, workers who take family leave receive 55 percent of their wages — up to \$840 a week — for six weeks a year, Levy said.

A similar program in New Jersey is "long overdue," said Eileen Appelbaum, director of the Center for Women and Work at Rutgers University.

"Most children now live in families where their mothers work. This is very different from what it was a generation ago. Families now depend on wages of mothers as well as fathers to support their children and provide for living expenses."

Appelbaum said she expects legislation to be introduced soon.

The program sounds good to some parents, who said they gladly would pay into a fund if it meant getting to spend more time with their children.

Former teacher Suzanne Deegan, 37, of Brielle, stays home with sons Jack, 4, and Ryan, 1, while her husband, David, juggles three jobs — teaching high school, coaching baseball and soccer and working at a swimming pool club during the summer.

Deegan said offering paid time off for workers could ease the financial strain, particularly for young families with newborn children. (Teachers would be eligible if their municipalities opt into the state's temporary disability insurance program).

"To have it funded statewide would be fantastic," Deegan said. "It would be another step toward caring for children in New Jersey."

Not everybody agrees. Although the program wouldn't raise business taxes, business groups cited a host of problems. Their chief concern: It would leave small-business owners scrambling to hire temporary workers, paying overtime or finding ways to make their existing work force more productive.

"Our issue is not necessarily who's paying for it," said Robin Tabakin, president of the New Jersey Association of Women Business Owners. "Our issue is how it affects small business when an employee takes off."

The law's proponents said small businesses aren't required to save the job of the worker on leave. But observers in California said that might be one reason workers there haven't embraced the program.

California paid about 137,000 workers nearly \$300 million in the first year of the program. Workers received, on average, \$409 a week and took, on average, five weeks of leave. Nearly 90 percent of the claims were submitted by workers wanting to bond with their newborn children, according to the California Employment Development Department.

The total number, which amounts to 1 percent of the 13 million workers who are eligible, fell short of the state's estimates. Officials there predicted 310,000 would use the program during the first year, Levy said.

The reason? A survey released in November by the Berger Institute for Work, Family, and Children at Claremont McKenna College in Claremont, Calif., found that only 44 percent were familiar with the program; 52 percent felt the compensation was not enough to make it worthwhile; and 24 percent feared losing their jobs if they took leave.

"It's just another program that California really can't afford right now," said Brendan Huffman, director of public policy for the Los Angeles Area Chamber of Commerce, which opposed the legislation. "There's so many mandates on employers, so many government programs funded through personal income taxes and taxes on employers, the business community is getting wary of supporting all of these, especially when we have a budget deficit."

The issues of high taxes and a budget deficit no doubt sound familiar to New Jersey workers and business owners. But Deborah Skinner said life can get complicated these days.

She and her husband, John, have three children — Brianna, 8, John, 3, and Cole, 3 months — and they have come to depend on both of their incomes to get by.

When she heard about a proposal for paid family leave, she threw her support behind it.

"To me this would be peace of mind, knowing you have some money coming in to pay the bills and provide for your family," Skinner said.

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