

**Parents' Action for Children**

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# Pushing For Paid Family And Sick Leave

## Battles brewing over legislation that will allow more parents to take time off

By Julia Lawlor

Electra Miles knew from experience that she would need at least six weeks maternity leave, and preferably a lot longer, to bond with her third and youngest child. She also knew that getting even a short leave would be a struggle.

Her employer, a dentist in a small practice with only two staff people (herself and an office manager) did not offer paid family leave, and the 31-year-old single mother couldn't afford to stay out of work for long without receiving a paycheck. Miles tried applying for public assistance, but was told she didn't qualify because she had a job. In the end, she was able to take off just five weeks, by cutting expenses wherever she could—including cancelling her telephone service.

"Do you buy diapers and clothes or pay for the phone?" Miles says. "It was a hardship. I felt like I should have had more time to bond with my baby."

In the U.S., millions of workers regularly face such dilemmas because they don't have what many other countries around the world consider a basic necessity: paid family and sick leave.

Although 163 countries provide guaranteed paid leave for new mothers, the United States does not. What's more, over half of all workers do not have any paid sick leave even after a full year of work, meaning parents regularly have to give up wages or risk losing their jobs to stay home with a sick child. According to the U.S. Bureau of Labor Statistics, 47 percent of all full-time workers in the private sector and 76 percent of low-wage workers have no paid sick leave.



**Electra Miles cancelled her phone service as a way to afford her maternity leave.**

"Most new jobs being created are jobs without benefits," says Jodi Grant, director of work and family programs for the National Partnership for Women and Families in Washington, D.C. "If you get a call at work that your child is running a fever, and you need to pick him up, there is no federal or state law that says you can't get fired for doing that. It's really inhumane."

Parent frustration over this problem, however, has led to a growing movement aimed at changing family leave and sick leave policies at the state and national level.

Last year, paid family leave and paid sick leave bills were introduced in 21 states and the District of Columbia. Twelve states held or scheduled hearings on paid leave legislation. And the nation's most comprehensive paid family leave law went into effect last summer in California. There, workers can take up to six weeks of partially paid leave (55 percent of wages up to a maximum of \$728 per week) for their own serious illness or to care for a new baby or a seriously ill family member. Women recovering from childbirth also can get six to eight weeks of partially paid temporary disability leave.

Business groups continue to fight paid leave laws, arguing that they are too costly. "If you increase government mandates on employers, you increase the cost of doing business. Then you harm both the employer and the employee," says Patrick Lyden, manager of legislative affairs for the National Federation of Independent Businesses, which represents small businesses with up to 500 employees.

But advocates for paid leave say offering such benefits is good for business. They claim paid leave benefits result in improved morale and retention, lower turnover costs and higher productivity.

The push for paid family leave began in the late 1990's, after family advocates found that low-income workers had difficulty taking time off under the federal Family and Medical Leave Act (FMLA). The FMLA, which went into effect in 1993, allows up to 12 weeks of unpaid leave a year to care for a new baby, recover from an illness or care for a sick family member. But it covers only those who work for companies with 50 or more employees - 62 percent of all U.S. workers. What's more, 78 percent of eligible employees who need leave can't afford to take it.

"Unpaid leave for a lot of families isn't enough," says Grant. "They are forced to dip into their 401-K's, get second mortgages, file for bankruptcy. Some wind up on public assistance."

California's success, though, has renewed hope among parent advocates around the country who've been pushing for paid family leave for years.

- In Illinois, a paid family leave bill was introduced in March. Over the last few years, state legislators have held hearings on the issue. With the backing of a coalition of community groups and labor unions, a state representative recently sponsored legislation that would provide partially paid leave of up to four weeks. The bill was introduced in March. ([Click here to read the story of how one mom's efforts helped make it happen.](#))
- A family leave coalition made up of seniors' and childrens' groups, labor unions and religious organizations in Washington state tried unsuccessfully to get a family leave insurance bill passed in 2001 and in 2003. This year, they've re-introduced the bill, which allows up to five weeks of paid leave (at \$250 a week) for an employee's own illness or to care for a new baby or an ill family member. The bill would be financed by workers paying a tax of two cents per hour worked or about \$40 a year. With a more

favorable Democratic majority in the House and Senate, as well as a new female Democrat believes it has a good chance to pass the legislation this year.

- A newly -formed coalition of labor unions, citizen groups and family advocates in New Jersey is pushing for a paid family leave law similar to California's. Still in the early stages, the coalition hopes to push for a bill that would provide 10 weeks at two-thirds of the state's average weekly wage, according to Karen White, senior advisor at the Center for Women and Work at Rutgers University in New Brunswick, N.J. The leave could be used for a parent's own illness or to care for a new baby or ill family member.
- In Massachusetts, where labor unions and other groups have been pushing paid family leave, a bill has just been introduced for a second time to create a family trust fund. Financed by a new tax on high earners, the fund would allow employees up to 12 weeks of paid leave at half of the state's average weekly wage, or about \$459. Employers would receive tax credits depending on the size of their business.

The fight for more generous sick leave policies is also heating up at both the federal and state levels.

### WHAT YOU CAN DO!

- **[Sign the petition in support of the Healthy Families Act and ask Congress to ensure that all workers get paid sick leave.](#)**
- **[Link up with advocates in your state who are fighting for paid family and paid sick leave. Find out how you can help.](#)**
- **[Tell us your story about family and medical leave.](#)**

Just six states currently require employers to let workers use paid sick leave to care for ill family members, meaning that in most states parents have even risk losing their jobs if they stay home with a sick child.

Senator Edward Kennedy (D-Mass.) and Congresswoman Rosa DeLauro introduced The Healthy Families Act this spring, which guarantees paid sick leave for full-time workers in companies with at least 15 employees and part-time employees. The legislation would allow workers to use their sick leave to care for family members.

For parents like Electra Miles, paid leave policies can't be enacted in many states.

"If you're working but can't afford to take unpaid leave, there's a real financial burden," says Miles. "I'm a working parent. I'm not dependent on public assistance. I try to take care of my family."

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