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# Business Work-Life Study

A SOURCEBOOK

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Families and Work Institute

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**Table 13: Flexible Work Arrangements**

| Does your company allow employees ...                                                             | Allow | No, But<br>Considering |
|---------------------------------------------------------------------------------------------------|-------|------------------------|
| To periodically change starting and quitting times?                                               | 68%   | 9%                     |
| To change starting and quitting times on a daily basis?                                           | 24    | 7                      |
| To return to work gradually after childbirth or adoption?                                         | 81    | 7                      |
| To move from full-time to part-time and back again while remaining in the same position or level? | 57    | 5                      |
| To share jobs?                                                                                    | 37.5  | 17                     |
| To work at home occasionally?                                                                     | 55    | 6                      |
| To work at home or off-site on a regular basis                                                    | 33    | 14                     |
| To take time off for school/child care functions                                                  | 88    | Not Asked              |

(n=1057)

Only 18 percent of companies offering one or more flexible work arrangements perceive the costs of their investments in these policies as outweighing the benefits, while 36 percent perceive these programs as cost-neutral and 46 percent perceive a positive return on their investments.

## Leaves

In the 1997 National Study of the Changing Workforce, access to leaves for childbirth, adoption, or to care for sick children is considered a critical component of the flexibility and supportiveness of the workplace environment. As described above, the supportiveness of the workplace environment is strongly associated with workers' job satisfaction, commitment, loyalty, retention, and job performance, as well as their personal well-being. The 1998 BWLS provides an opportunity to assess the extent to which companies offer various types of leave.

The federal Family and Medical Leave Act (FMLA) of 1993 requires that 12 weeks of unpaid, job-guaranteed leave for childbirth, adoption, foster care placement, a serious personal medical condition, or care of a child or spouse with a serious medical condition be granted to an employee who has worked at least 1,250 hours over the preceding year for an employer with 50 or more employees within a 75-mile radius of the worksite.

### ***Maternity Leave for Childbirth and Early Infant Care***

We asked for the maximum length of job-guaranteed leave that companies allow for female employees who give birth to a child, including the period of disability and any other related time (Table 14).

- The median amount of time off for maternity leave among companies with 100 or more employees is 12 weeks, as required by the FMLA. The mean is 17 weeks. However, 9 percent provide fewer than 12 weeks off.
- Of those companies offering fewer than 12 weeks' leave, only 1 percent are clearly out of compliance by virtue of having a single location with 100 or more employees. It is likely that others are out of compliance as well; however, data available from the survey do not permit accurate estimates.
- One-third of companies allow new mothers more than 12 weeks leave: 25 percent between 13 and 26 weeks and 8 percent more than 26 weeks.
- Companies with more employees in the U.S. and those with larger proportions of unionized workers tend to offer longer leaves. Companies with at least some top executive positions filled by minorities are more likely to offer leaves longer than 12 weeks. Among industry groups, companies in the goods-producing sector, finance/insurance/real estate service, and "other services" tend to offer the most generous leaves, while companies in the wholesale and retail trades offer the least generous.

Table 14: Leave for Maternity

| Employer Characteristic                                   | Fewer<br>than 12<br>weeks | 12 weeks | 13 - 26<br>weeks | More<br>than 26<br>weeks | Sig. |
|-----------------------------------------------------------|---------------------------|----------|------------------|--------------------------|------|
| All Companies                                             | 9%                        | 58%      | 25%              | 8%                       |      |
| Number of Employees                                       |                           |          |                  |                          | *    |
| Fewer than 250 ( <i>n</i> =355)                           | 12%                       | 55%      | 28%              | 5%                       |      |
| 250 - 999 ( <i>n</i> =349)                                | 9                         | 61       | 22               | 8                        |      |
| 1,000 or more ( <i>n</i> =242)                            | 4                         | 60       | 26               | 10                       |      |
| Industry                                                  |                           |          |                  |                          | ***  |
| Manufact/Const/Agri ( <i>n</i> =274)                      | 8%                        | 53%      | 30%              | 10%                      |      |
| Professional Services ( <i>n</i> =252)                    | 5                         | 65       | 23               | 6                        |      |
| Wholesale/Retail Trade ( <i>n</i> =171)                   | 20                        | 55       | 23               | 2                        |      |
| Finance/Insur/Real Est ( <i>n</i> =139)                   | 5                         | 62       | 23               | 10                       |      |
| Other Services ( <i>n</i> =108)                           | 8                         | 56       | 24               | 12                       |      |
| Percentage of Executive Positions<br>Filled by Minorities |                           |          |                  |                          | *    |
| 0 % ( <i>n</i> =595)                                      | 9%                        | 62%      | 23%              | 6%                       |      |
| 1% - 24% ( <i>n</i> =196)                                 | 7                         | 55       | 29               | 10                       |      |
| 25% - 49% ( <i>n</i> =65)                                 | 14                        | 48       | 26               | 12                       |      |
| 50% or more ( <i>n</i> =88)                               | 9                         | 49       | 32               | 10                       |      |
| Unionized Workers as Percentage<br>of Workforce           |                           |          |                  |                          | **   |
| 0% ( <i>n</i> =706)                                       | 10%                       | 60%      | 23%              | 7%                       |      |
| 1% - 29% ( <i>n</i> =96)                                  | 7                         | 49       | 31               | 13                       |      |
| 30% or more ( <i>n</i> =102)                              | 5                         | 54       | 28               | 13                       |      |

Significance Levels: \* =  $p < .01$ ; \*\* =  $p < .01$ ; \*\*\* =  $p < .0001$ .

### Replacement Pay during Maternity Leave

Just more than half (53 percent) of mothers on leave after giving birth receive some replacement pay, excluding vacation days, accrued sick days, or other paid personal time off (Table 15).

- Companies in the goods-producing industries (largely manufacturing) are most likely to provide replacement pay during maternity leave, while companies in the professional services and wholesale/retail trades are least likely. Companies with smaller proportions of top executive positions filled by women; smaller proportions of women, hourly, and part-time employees in their workforces; and larger proportions

of unionized workers are also more likely to offer replacement pay than other companies.

- Of companies providing replacement pay during leaves for maternity, 27 percent provide full pay and 60 percent partial pay, while another 13 percent report that "It depends."
- Companies with higher proportions of unionized workers are more likely than other companies to provide full pay. Indeed, 33 percent of companies whose workforces are 30 percent or more unionized provide full pay.
- Replacement pay is usually funded (81 percent of companies) by a general temporary disability insurance plan.
- Companies most likely to provide pay through temporary disability insurance have fewer part-time employees as a percentage of their workforces and report that their financial performance is better than their competitors'. Among industry groups, companies in the professional services and wholesale/retail trades are least likely to fund replacement pay using temporary disability insurance, while companies in the goods-producing industries are most likely to do so.

Table 15: Pay during Childbirth Leave for Mothers

| Employer Characteristic                           | Full/Part Pay | Sig. | No Pay |
|---------------------------------------------------|---------------|------|--------|
| All Companies                                     | 53%           |      | 47%    |
| Industry                                          |               | ***  |        |
| Manufact/Const/Agri ( <i>n</i> =277)              | 66%           |      | 34%    |
| Professional Services ( <i>n</i> =266)            | 44            |      | 56     |
| Wholesale/Retail Trade ( <i>n</i> =175)           | 46            |      | 54     |
| Finance/Insur/Real Est ( <i>n</i> =140)           | 54            |      | 46     |
| Other Services ( <i>n</i> =113)                   | 50            |      | 50     |
| Percentage of Executive Positions Filled by Women |               | *    |        |
| 0% ( <i>n</i> =284)                               | 56%           |      | 44%    |
| 1% - 24% ( <i>n</i> =277)                         | 56            |      | 44     |
| 25% - 49% ( <i>n</i> =219)                        | 56            |      | 44     |
| 50% or more ( <i>n</i> =192)                      | 41            |      | 59     |
| Women as Percentage of Workforce                  |               | *    |        |
| Less than 40% ( <i>n</i> =270)                    | 59%           |      | 41%    |
| 40% - 60% ( <i>n</i> =326)                        | 51            |      | 49     |
| More than 60% ( <i>n</i> =266)                    | 46            |      | 54     |
| Unionized Workers as Percentage of Workforce      |               | *    |        |
| 0% ( <i>n</i> =726)                               | 51%           |      | 49%    |
| 1% - 29% ( <i>n</i> =95)                          | 56            |      | 44     |
| 30% or more ( <i>n</i> =107)                      | 66            |      | 34     |
| Hourly Workers as Percentage of Workforce         |               | ***  |        |
| Less than 58% ( <i>n</i> =299)                    | 60%           |      | 40%    |
| 58 - 79% ( <i>n</i> =286)                         | 58            |      | 42     |
| 80% or more ( <i>n</i> =310)                      | 42            |      | 58     |
| Part-time Workers as Percentage of Workforce      |               | ***  |        |
| Less than 2.5% ( <i>n</i> =285)                   | 67%           |      | 33%    |
| 2.5% - 14% ( <i>n</i> =295)                       | 55            |      | 45     |
| 15% or more ( <i>n</i> =275)                      | 34.5          |      | 65.5   |

Significance Levels: \* =  $p < .01$ ; \*\*\* =  $p < .0001$ .

### ***Paternity Leave for Fathers***

The FMLA requirements for paternity leave are the same as those for maternity leave—12 weeks of unpaid, job-guaranteed time off.

- According to the 1998 BWLS, the median amount of job-guaranteed leave that companies with 100 or more employees allow male employees whose partners give birth to a child is 12 weeks, as required by the FMLA. The mean is 14 weeks.
- Ten percent of companies report providing fewer than 12 weeks of paternity leave, with 2 percent of the sample clearly out of compliance with the FMLA. The total percentage not complying with the FMLA cannot be estimated accurately given data available from the survey.
- On the other hand, 13 percent of companies offer 13 through 26 weeks of paternity leave, and another 3 percent allow more than 26 weeks (Table 16).
- Companies with more than 250 employees and with larger proportions of unionized workers are more likely to offer at least 12 weeks of paternity leave. Companies with at least some top executive positions filled by minorities are more likely to offer paternity leaves longer than 12 weeks. Although paternity leaves of fewer than 12 weeks are most common in the wholesale/retail trades, so are leaves longer than 12 weeks.

**Table 16: Leave for Paternity**

| Employer Characteristic                                | Fewer than 12 weeks | 12 weeks | 13 - 26 weeks | More than 26 weeks | Sig. |
|--------------------------------------------------------|---------------------|----------|---------------|--------------------|------|
| All Companies                                          | 10%                 | 74%      | 13%           | 3%                 |      |
| Number of Employees                                    |                     |          |               |                    | *    |
| Fewer than 250 ( <i>n</i> =314)                        | 15%                 | 70%      | 13%           | 2%                 |      |
| 250 - 999 ( <i>n</i> =325)                             | 8                   | 77       | 12            | 3                  |      |
| 1,000 or more ( <i>n</i> =230)                         | 6                   | 76       | 14            | 4                  |      |
| Industry                                               |                     |          |               |                    | ***  |
| Manufact/Const/Agri ( <i>n</i> =263)                   | 12%                 | 75%      | 11%           | 3%                 |      |
| Professional Services ( <i>n</i> =232)                 | 5                   | 81       | 12            | 3                  |      |
| Wholesale/Retail Trade ( <i>n</i> =146)                | 19                  | 62       | 19            | 1                  |      |
| Finance/Insur/Real Est ( <i>n</i> =125)                | 6                   | 75       | 16            | 2                  |      |
| Other Services ( <i>n</i> =101)                        | 6                   | 73       | 12            | 9                  |      |
| Percentage of Executive Positions Filled by Minorities |                     |          |               |                    | ***  |
| 0 % ( <i>n</i> =555)                                   | 10%                 | 78%      | 11%           | 1%                 |      |
| 1% - 24% ( <i>n</i> =175)                              | 7                   | 73       | 17            | 3                  |      |
| 25% - 49% ( <i>n</i> =66)                              | 18                  | 56       | 18            | 8                  |      |
| 50% or more ( <i>n</i> =73)                            | 7                   | 66       | 16            | 11                 |      |
| Unionized Workers as Percentage of Workforce           |                     |          |               |                    | ***  |
| 0% ( <i>n</i> =637)                                    | 11%                 | 74%      | 12%           | 2%                 |      |
| 1% - 29% ( <i>n</i> =92)                               | 7                   | 74       | 15            | 4                  |      |
| 30% or more ( <i>n</i> =99)                            | 3                   | 74       | 15            | 8                  |      |

*Significance Levels: \* =  $p < .01$ ; \*\*\* =  $p < .0001$ .*

### **Pay during Paternity Leave**

Although men are obviously ineligible for disability pay when they take parental leaves after their partners give birth to a child, 13 percent of companies do provide wage replacement for at least part of paternity leaves beyond that available from accrued vacation days, sick days, or other paid personal time off (Table 17).

- Interestingly, smaller companies are more likely than larger companies to provide replacement pay for men when their partners give birth, as are companies that have at least some minorities in top executive positions.

**Table 17: Pay During Paternity Leave**

| Employer Characteristic                                | Full/Part Pay | Sig. | No Pay |
|--------------------------------------------------------|---------------|------|--------|
| All companies                                          | 13%           |      | 87%    |
| Number of Employees                                    |               | **   |        |
| Fewer than 250 ( <i>n</i> =329)                        | 20%           |      | 80%    |
| 250 – 999 ( <i>n</i> =340)                             | 8             |      | 92     |
| 1,000 or more ( <i>n</i> =235)                         | 11            |      | 89     |
| Percentage of Executive Positions Filled by Minorities |               | ***  |        |
| 0 % ( <i>n</i> =574)                                   | 9%            |      | 91%    |
| 1% - 24% ( <i>n</i> =183)                              | 18            |      | 82     |
| 25% - 49% ( <i>n</i> =69)                              | 26            |      | 74     |
| 50% or more ( <i>n</i> =78)                            | 18            |      | 82     |

*Significance Level: \*\* =  $p < .001$ ; \*\*\* =  $p < .0001$ .*

### ***Leave for Adoption and Foster Care Placement***

The FMLA requirements for adoption or foster care placement leave are the same as those for maternity and paternity leave—12 weeks of unpaid, job-guaranteed time off.

- The median amount of job-guaranteed leave that companies with 100 or more employees allow male and female employees caring for newly adopted children or newly placed foster children is 12 weeks, as required by the FMLA. The mean is 14 weeks—comparable to the mean length of paternity leave. Ten percent of companies allow fewer than 12 weeks, while 16 percent allow more (Table 18).
- Companies with 1,000 or more employees, 50 percent or more of top executive positions filled by women, 30 percent or more unionized employees, and 58 percent or fewer hourly workers are more likely to provide at least 12 weeks for adoption or foster care leaves. Companies with at least some top executive positions filled by minorities are more likely to provide more than 12 weeks' leave. The most striking difference among industries is that 22 percent of companies in the wholesale and retail trades provide fewer than 12 weeks' leave.

Table 18: Leave for Adoption

| Employer Characteristic                                | Fewer than 12 weeks | 12 weeks | 13 - 26 weeks | More than 26 weeks | Sig. |
|--------------------------------------------------------|---------------------|----------|---------------|--------------------|------|
| All Companies                                          | 10%                 | 74.5%    | 13%           | 3%                 |      |
| Number of Employees                                    |                     |          |               |                    | *    |
| Fewer than 250 ( <i>n</i> =326)                        | 14%                 | 70%      | 14%           | 2%                 |      |
| 250 - 999 ( <i>n</i> =336)                             | 10                  | 77       | 12            | 2                  |      |
| 1,000 or more ( <i>n</i> =241)                         | 4                   | 78       | 12            | 5                  |      |
| Industry                                               |                     |          |               |                    | ***  |
| Manufact/Const/Agri ( <i>n</i> =263)                   | 10%                 | 78%      | 10%           | 2%                 |      |
| Professional Services ( <i>n</i> =246)                 | 5                   | 81       | 11            | 4                  |      |
| Wholesale/Retail Trade ( <i>n</i> =157)                | 22                  | 61       | 17            | 1                  |      |
| Finance/Insur/Real Est ( <i>n</i> =137)                | 5                   | 76       | 15            | 4                  |      |
| Other Services ( <i>n</i> =99)                         | 8                   | 72       | 12            | 8                  |      |
| Percentage of Executive Positions Filled by Women      |                     |          |               |                    | ***  |
| 0% ( <i>n</i> =258)                                    | 11%                 | 78%      | 10%           | 2%                 |      |
| 1% - 24% ( <i>n</i> =255)                              | 10                  | 76       | 13            | 1                  |      |
| 25% - 49% ( <i>n</i> =207)                             | 11                  | 75       | 12            | 1                  |      |
| 50% or more ( <i>n</i> =181)                           | 7                   | 68       | 16            | 10                 |      |
| Percentage of Executive Positions Filled by Minorities |                     |          |               |                    | ***  |
| 0 % ( <i>n</i> =574)                                   | 11%                 | 79%      | 10%           | 1%                 |      |
| 1% - 24% ( <i>n</i> =188)                              | 7                   | 73       | 16            | 4                  |      |
| 25% - 49% ( <i>n</i> =63)                              | 11                  | 59       | 19            | 11                 |      |
| 50% or more ( <i>n</i> =77)                            | 9                   | 60       | 21            | 10                 |      |
| Unionized Workers as Percentage of Workforce           |                     |          |               |                    | *    |
| 0% ( <i>n</i> =674)                                    | 11%                 | 75%      | 13%           | 2%                 |      |
| 1% - 29% ( <i>n</i> =90)                               | 10                  | 72       | 13            | 4                  |      |
| 30% or more ( <i>n</i> =104)                           | 5                   | 76       | 12            | 8                  |      |
| Hourly Workers as Percentage of Workforce              |                     |          |               |                    | **   |
| Less than 58% ( <i>n</i> =287)                         | 3%                  | 79%      | 14%           | 4%                 |      |
| 58 - 79% ( <i>n</i> =262)                              | 15                  | 71       | 11            | 2                  |      |
| 80% or more ( <i>n</i> =281)                           | 14                  | 73       | 12            | 2                  |      |

Significance Levels: \* =  $p < .01$ ; \*\* =  $p < .001$ ; \*\*\* =  $p < .0001$ .

### ***Pay during Adoption and Foster Care Leave***

Overall, 12.5 percent of companies provide some replacement pay for employees on leave for adoption and foster care placement (Table 19).

Companies in the finance/insurance/real estate and "other services" industries are twice as likely as companies in other industries to provide at least some replacement pay. Similarly, companies with at least some top executive positions filled by minorities are about twice as likely as companies with no minorities in top positions to provide full or partial replacement pay during leaves for adoption and foster care placements.

**Table 19: Pay during Leave for Adoption**

| Employer Characteristic                                | Full/Part Pay | Sig. | No Pay |
|--------------------------------------------------------|---------------|------|--------|
| All Companies                                          | 12.5%         |      | 87.5%  |
| Industry                                               |               | **   |        |
| Manufact/Const/Agri ( <i>n</i> =272)                   | 11%           |      | 89%    |
| Professional Services ( <i>n</i> =254)                 | 9             |      | 91     |
| Wholesale/Retail Trade ( <i>n</i> =147)                | 9.5           |      | 90.5   |
| Finance/Insur/Real Est ( <i>n</i> =137)                | 20            |      | 80     |
| Other Services ( <i>n</i> =104)                        | 21            |      | 79     |
| Percentage of Executive Positions Filled by Minorities |               | **   |        |
| 0% ( <i>n</i> =586)                                    | 9%            |      | 91%    |
| 1% - 24% ( <i>n</i> =191)                              | 19            |      | 81     |
| 25% - 49% ( <i>n</i> =63)                              | 25            |      | 75     |
| 50% or more ( <i>n</i> =75)                            | 13            |      | 87     |

*Significance Levels: \*\* =  $p < .001$ .*

### ***Leave to Care for Seriously Ill Children***

The medical leave provisions of the FMLA cover leaves for serious medical conditions of workers, their children, and their spouses. The 1998 BWLS only asked about leaves to care for seriously ill children. As with other leaves, the FMLA provides for 12 weeks of unpaid, job-guaranteed time off.

- The median amount of unpaid, job-guaranteed leave that companies with 100 or more employees allow male and female employees to care for seriously ill children is 12 weeks, as required by the FMLA. The mean is 14 weeks.
- Seven percent allow fewer than 12 weeks, 78 percent allow 12 weeks, and 15 percent allow more (Table 20).

- Companies with larger proportions of top executive positions filled by minorities and larger proportions of union members tend to offer leaves longer than 12 weeks to care for a seriously ill child.

**Table 20: Leave to Care for Seriously Ill Child**

| Employer Characteristic                                   | Fewer<br>than 12<br>weeks | 12 weeks | 13 - 26<br>weeks | More<br>than 26<br>weeks | Sig. |
|-----------------------------------------------------------|---------------------------|----------|------------------|--------------------------|------|
| All Companies                                             | 7%                        | 78%      | 11%              | 4%                       |      |
| Percentage of Executive Positions<br>Filled by Minorities |                           |          |                  |                          | *    |
| 0 % ( <i>n</i> =570)                                      | 7%                        | 80%      | 10%              | 3%                       |      |
| 1% - 24% ( <i>n</i> =181)                                 | 8                         | 77       | 11               | 3                        |      |
| 25% - 49% ( <i>n</i> =62)                                 | 3                         | 65       | 21               | 11                       |      |
| 50% or more ( <i>n</i> =78)                               | 6                         | 74       | 12               | 8                        |      |
| Unionized Workers as Percentage of<br>Workforce           |                           |          |                  |                          | *    |
| 0% ( <i>n</i> =655)                                       | 8%                        | 78%      | 10%              | 3%                       |      |
| 1% - 29% ( <i>n</i> =93)                                  | 3                         | 76       | 13               | 8                        |      |
| 30% or more ( <i>n</i> =108)                              | 5                         | 76       | 12               | 7                        |      |

*Significance Level: \* =  $p < .01$ .*

### ***Time Off for Mildly Ill Children***

According to the 1998 BWLS, 49 percent of companies with 100 or more employees allow employees to take a few days off work to care for a mildly ill child without using vacation days and without losing pay (Table 21).

- Financial service, insurance, and real estate companies; companies with larger proportions of unionized employees and smaller proportions of hourly employees; and companies that find vacancies in skilled positions difficult to fill are more likely than other companies to allow employees time off to care for mildly ill children without losing pay. Fully 65 percent of companies with 30 percent or more unionized workers and 63 percent of those in the finance/insurance/real estate industries allow employees to take paid time off to care for mildly ill children.

**Table 21: Time Off to Care for Mildly Ill Children without Using Vacation Days or Losing Pay**

| Employer Characteristic                        | Allow | Sig. | Do Not Allow |
|------------------------------------------------|-------|------|--------------|
| All Companies                                  | 49%   |      | 51%          |
| Industry                                       |       | *    |              |
| Manufact/Const/Agri ( <i>n</i> =305)           | 45%   |      | 55%          |
| Professional Services ( <i>n</i> =271)         | 48    |      | 52           |
| Wholesale/Retail Trade ( <i>n</i> =180)        | 43    |      | 57           |
| Finance/Insur/Real Est ( <i>n</i> =140)        | 63    |      | 37           |
| Other Services ( <i>n</i> =132)                | 51.5  |      | 48.5         |
| Unionized Workers as Percentage of Workforce   |       | **   |              |
| 0% ( <i>n</i> =759)                            | 46%   |      | 54%          |
| 1% - 29% ( <i>n</i> =105)                      | 47    |      | 53           |
| 30% or more ( <i>n</i> =121)                   | 65    |      | 35           |
| Hourly Workers as Percentage of Workforce      |       | ***  |              |
| Less than 58% ( <i>n</i> =319)                 | 56%   |      | 44%          |
| 58 - 79% ( <i>n</i> =301)                      | 52    |      | 48           |
| 80% or more ( <i>n</i> =328)                   | 36    |      | 64           |
| Difficulty in Filling Highly Skilled Positions |       | *    |              |
| Very/Somewhat Easy ( <i>n</i> =322)            | 42%   |      | 58%          |
| Very/Somewhat Difficult ( <i>n</i> =701)       | 51.5  |      | 48.5         |

*Significance Levels: \* $p < .01$ ; \*\* $p < .001$ ; \*\*\* $p < .0001$ .*

- Among companies allowing a specific number of days, the median is 6 days per year and the mean is 11. Nine percent of companies allow employees "as much time as needed," and 25 percent say, "It depends."

### ***Return on Investments in Family Leave Policies***

Very few companies have actually evaluated return on investments in their family leave policies. Undoubtedly this is due in large part to the fact that most adhere to the minimum leave policies required by federal law. However, by combining human resource directors' personal views with reported findings from evaluations, we constructed a global measure of *perceived return on investment* in family leave arrangements. Overall, 17 percent of companies perceive the costs of family leave policies as outweighing the benefits, while 42 percent view these policies as cost-neutral and 42 percent perceive benefits as outweighing costs (Table 22).



- Companies with larger proportions of top executive positions filled by women and with lower proportions of hourly workers perceive greater returns on their investments in family leave policies than other companies.
- Companies in the wholesale and retail trades are least likely to perceive the costs of family leave policies as outweighing benefits; however, they are also least likely to perceive benefits as outweighing costs, believing instead that these policies are cost-neutral.
- Curiously, companies that find it easier to hire hourly, entry-level workers perceive greater returns on their investments in family leave policies than companies that have greater difficulty hiring these workers. Conceivably this is because companies that find it easier to hire hourly, entry level workers have family leave policies that aid recruitment and retention.

Table 22: Return on Investments in Family Leave Policies

| Employer Characteristic                                | Costs<br>Outweigh<br>Benefits | Cost Neutral | Benefits<br>Outweigh<br>Costs | Sig. |
|--------------------------------------------------------|-------------------------------|--------------|-------------------------------|------|
| All Companies                                          | 17%                           | 42%          | 42%                           |      |
| Industry                                               |                               |              |                               | **   |
| Manufact/Const/Agri (n=278)                            | 18%                           | 44%          | 38%                           |      |
| Professional Services (n=249)                          | 19                            | 35           | 46                            |      |
| Wholesale/Retail Trade (n=158)                         | 10                            | 58           | 32                            |      |
| Finance/Insur/Real Est (n=127)                         | 17                            | 35           | 49                            |      |
| Other Services (n=113)                                 | 18                            | 35           | 47                            |      |
| Percentage of Executive Positions<br>Filled by Women   |                               |              |                               | ***  |
| 0 % (n=270)                                            | 19%                           | 47%          | 34%                           |      |
| 1% - 24% (n=268)                                       | 15                            | 49           | 37                            |      |
| 25% - 49% (n=208)                                      | 19                            | 38           | 43                            |      |
| 50% or more (n=179)                                    | 15                            | 27           | 59                            |      |
| Hourly Workers as Percentage of<br>Workforce           |                               |              |                               | *    |
| Less than 58% (n=281)                                  | 14%                           | 38%          | 48%                           |      |
| 58 - 79% (n=280)                                       | 20                            | 38           | 42                            |      |
| 80% or more (n=290)                                    | 19                            | 45           | 36                            |      |
| Difficulty in Filling Entry-<br>Level/Hourly Positions |                               |              |                               | *    |
| Very/Somewhat Easy (n=556)                             | 14%                           | 42%          | 44%                           |      |
| Very/Somewhat Difficult (n=362)                        | 21                            | 41           | 38                            |      |

Significance Levels: \* =  $p < .01$ ; \*\* =  $p < .001$ ; \*\*\* =  $p < .0001$ .

### Summary: Leave Policies

Across the four types of leave examined, 7 percent through 10 percent of companies with 100 or more employees provide fewer than 12 weeks of leave, while 15 percent through 33 percent provide 13 weeks or more. It appears that companies see maternity leave as the most deserving type of leave, as maximum leave periods are longer on average for maternity than for other reasons (Table 23).

Among companies offering less than the 12 weeks of unpaid, job-guaranteed leave required by the FMLA, 2 percent or fewer are *clearly* out of compliance with the law, based on having only one site with 100 or more employees. Although additional companies are likely to be out of compliance, survey data do not permit accurate estimates of the number. Some companies, of course, may be exempt from FMLA require-

ments—such as a portion of the 37 percent of companies in the sample with fewer than 50 employees per site on average. Indeed, it may well be that the number of exempt companies that comply with the law is larger than the number of nonexempt companies that fail to comply.

**Table 23: Summary of Leave Policies**

| Leave Policy                               | Fewer than<br>12 Weeks | 12 Weeks | 13 - 26<br>Weeks | More than<br>26 Weeks | Median and Mean<br>Number of Weeks |
|--------------------------------------------|------------------------|----------|------------------|-----------------------|------------------------------------|
| Maternity Leave                            | 9%                     | 58%      | 25%              | 8%                    | Median: 12 wks<br>Mean: 17 wks     |
| Paternity Leave                            | 10                     | 74       | 13               | 3                     | Median: 12 wks<br>Mean: 14 wks     |
| Adoption, Foster<br>Care Leave             | 10                     | 74.5     | 13               | 3                     | Median: 12 wks<br>Mean: 14 wks     |
| Care of Seriously<br>Ill Children<br>Leave | 7                      | 78       | 11               | 4                     | Median: 12 wks<br>Mean: 14 wks     |

Although women on leave for maternity are more likely to receive some replacement pay than workers taking leaves for other reasons, this is not necessarily another indicator that maternity leave is viewed as more deserved. Indeed, this pattern of differences in the likelihood of replacement pay is most likely a product of 1) having a temporary disability insurance plan and 2) the federal Pregnancy Discrimination Act (PDA) of 1978, which requires that maternity-related disability be treated like other disabilities under insurance plans. For 81 percent of companies, pay during maternity leave is funded by their temporary disability insurance plans.

**Table 24: At Least Some Replacement Pay during Leave**

| Leave Policy               | At Least Some Replacement Pay |
|----------------------------|-------------------------------|
| Maternity Leave            | 53%                           |
| Paternity Leave            | 13                            |
| Adoption/Foster Care Leave | 12.5                          |

Only 17 percent of companies think the costs of leave programs exceed the benefits, while 42 percent think leave programs are cost-neutral and another 42 percent perceive a positive return on investment in these programs.

Web site findings  
follow.

MEDIA ALERT  
July 23, 1998

CONTACT: Margaret Sotham, 202/986-2600  
Sarah Varela, 202/371-1999

NATION TO MARK FIFTH ANNIVERSARY  
OF FAMILY & MEDICAL LEAVE ACT ON AUGUST 5

August 5, 1998 is the fifth anniversary of the day the federal Family and Medical Leave Act (FMLA) went into effect. A giant step forward for America's working families, the FMLA has allowed millions of workers at firms with 50 or more employees to take up to 12 weeks of job-protected, unpaid leave to care for a new baby or sick family member, or to recover from their own serious illness.

An attorney at the National Partnership for Women & Families (formerly the Women's Legal Defense Fund) first drafted the FMLA 14 years ago. The National Partnership then founded and led the broad-based coalition that fought for passage until, in 1993, the FMLA became the first bill President Clinton signed into law. Through its extensive public education efforts and free Guide to the FMLA, the National Partnership is the nation's leading FMLA consumer information resource.

Congress is currently considering several measures that would expand the FMLA to cover more employees and more reasons for leave. National Partnership research shows how each state would be affected by the leading proposal, which would cover mid-sized employers with 25-49 employees.

To mark this anniversary, the National Partnership:

- \* has compiled a list of families around the country who have used the FMLA over the past five years and are willing to share their experiences.
- \* will feature new national data on how the FMLA is working, information about the law's history, analyses of all current expansion proposals, and downloadable versions of the free Guide to the FMLA in both English and Spanish on its web site at [www.nationalpartnership.org](http://www.nationalpartnership.org). 
- \* will release Family Matters: Ask Your Candidates About Work/Family Issues, a nonpartisan, easy-to-read pamphlet with tips on how voters can ask their candidates to address work/family issues such as family leave this election season.

For information on FMLA, to interview families affected by the law, to interview FMLA author and National Partnership general counsel Donna Lenhoff, or for a copy of the Ask Your Candidates guide, please contact Margaret Sotham at 202/986-2600 or Sarah Varela at 202/371-1999.

The National Partnership for Women & Families, formerly the Women's Legal Defense Fund, is a non-profit, non-partisan organization that promotes fairness in the workplace, quality health care, and policies that help women and men meet the dual demands of work and family.

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# What's New

National Partnership for Women &amp; Families

## Family Matters:

A National Survey of Women and Men  
conducted for

The National Partnership For Women & Families

February 1998

### Survey Highlights

A new national survey on family and health care issues shows that American workplaces and American public policies are out of step with American families:

- **Americans demand more.** Americans say that pressures on working families, including pressures around time and health care, are getting worse, not better ([Table 1](#)). Nearly unanimously, they say that both employers and government should do more to help ([Table 2](#)). Nine out of ten (90%) say that employers should do more, while nearly three out of four (72%) say that government should do more.
- **Americans will vote for more.** By overwhelming majorities, Americans say that it is important for employers to provide more "family friendly" policies ([Table 3](#)), they support expansion of the Family and Medical Leave Act ([Table 4](#)), and they support national quality controls for health care ([Table 5](#)). Legislation to provide health care patient protections is favored by 91% of women and 88% of men. In addition, Americans say they would be more likely to vote for members of Congress who support these things as well ([Table 6](#)).
- **Americans will pay more.** Americans are willing to pay for the help they demand. Large majorities support expanding state unemployment and disability insurance to include family leave insurance ([Table 7](#)), and nearly two in three (64%) are willing to pay more each month for health care patient protections ([Table 8](#)).

Notably, these views cross political and demographic boundaries. Republicans and Democrats, working women and homemakers, baby boomers and seniors, people who are white, black and Hispanic - all agree that both employers and government should be doing more, all support FMLA expansion, and all demand better quality health care ([Table 9](#)). Republican support for FMLA expansion (70%) and health care patient protection (86%) is

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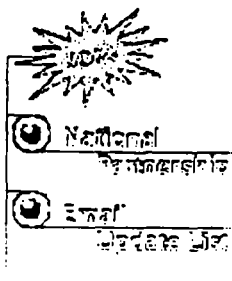
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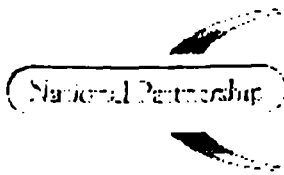
remarkably robust, while Democratic support is near-unanimous (87% for FMLA expansion, 95% for patient protection)

Moreover, Americans' time and health care demands are only likely to intensify over time. They expect that pressures on working families will continue to get worse ([Table 10](#)), and their expectations are warranted: large majorities - particularly among younger adults and baby-boomers - say they will need family leave or that they will have responsibility for the care of an elderly person during the next ten years ([Table 11](#)). Over two-thirds of Americans under 40 (69%) say they will need family leave in the next ten years; nearly two-thirds of those under 60 (65%) say they will have responsibility for elder care.

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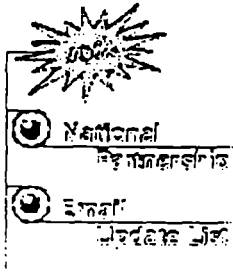
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## Tables

Table 1

| I am going to read some things that some people say are getting BETTER and other people say are getting WORSE. Please tell me whether you think each is getting BETTER or getting WORSE these days. |        |       |        |       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|-------|--------|-------|
|                                                                                                                                                                                                     | Women  |       | Men    |       |
|                                                                                                                                                                                                     | Better | Worse | Better | Worse |
| The health care system                                                                                                                                                                              | 30%    | 49%   | 29%    | 46%   |
| Time pressures on working families                                                                                                                                                                  | 15%    | 65%   | 18%    | 63%   |

Table 2

| I am going to mention some groups. For each group I mention, please tell me whether you think that group SHOULD or should NOT do MORE to help working families. |       |     |      |     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|-----|------|-----|
|                                                                                                                                                                 | Women |     | Men  |     |
|                                                                                                                                                                 | More  | Not | More | Not |
| Should the government do MORE to help working families, or should government NOT do more?                                                                       | 74%   | 21% | 70%  | 28% |
| Should employers and businesses do MORE to help working families, or should employers and business NOT do more?                                                 | 90%   | 6%  | 89%  | 8%  |

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Table 3

Now, I'd like to ask you about some things that employers could provide their employees. I'd like to know how important each is. Please give each one a rating on a scale of one to ten, where ten means something that is **EXTREMELY** important for employers to provide, and one means something is **NOT AT ALL** important.

|                                                                                                                                   | Percent who rate each 8, 9 or 10 |     |
|-----------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-----|
|                                                                                                                                   | Women                            | Men |
| Time off from work to care for a parent, child or spouse who is ill, for a new baby, or to recover from your own serious illness. | 75%                              | 65% |
| Time off from work to handle routine doctors' appointments for yourself or for someone in your family.                            | 52%                              | 43% |
| Time off from work to meet with your children's teachers.                                                                         | 56%                              | 54% |
| Having enough flexibility to adjust your work hours to meet your family's needs.                                                  | 60%                              | 60% |
| Assistance in finding affordable and quality child care or elder care.                                                            | 62%                              | 50% |

Table 4

I am going to describe some proposals concerning the Family and Medical Leave Act that may be considered by Congress. Please tell me if you **STRONGLY** favor, **SOMEWHAT** favor, somewhat **OPPOSE**, or **STRONGLY** oppose each one.

|                                                                                                                                              | Women |        | Men   |        |
|----------------------------------------------------------------------------------------------------------------------------------------------|-------|--------|-------|--------|
|                                                                                                                                              | Favor | Oppose | Favor | Oppose |
| Expanding the FMLA to cover companies with 25 or more employees, instead of 50 or more employees.                                            | 84%   | 12%    | 74%   | 19%    |
| Giving people 24 hours of unpaid leave per year to take family members to regular doctors' appointments or to meet with children's teachers. | 88%   | 9%     | 81%   | 15%    |

|                                                                                                                                            |     |     |     |     |
|--------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|
| Expanding the FMLA to cover more part-time workers, such as people who work more than one part-time job.                                   | 80% | 13% | 73% | 21% |
| Allowing victims of domestic violence to take unpaid leave from work for things like court appearances or getting care for their children. | 89% | 6%  | 83% | 12% |

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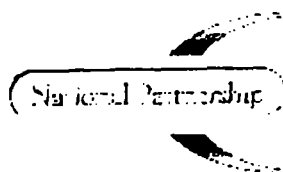
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## Family Matters: A National Survey of Women and Men conducted for The National Partnership For Women & Families February 1998

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Table 5

| Now, suppose that Congress were considering a proposal called the Patient Protection Act, which would require health insurance companies and health plans to provide everything we just read.* Would you STRONGLY favor, SOMEWHAT favor, somewhat OPPOSE, or STRONGLY oppose this proposal? |       |     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|-----|
|                                                                                                                                                                                                                                                                                             | Women | Men |
| Strongly favor                                                                                                                                                                                                                                                                              | 72%   | 63% |
| Total favor                                                                                                                                                                                                                                                                                 | 91%   | 88% |
| Total oppose                                                                                                                                                                                                                                                                                | 4%    | 8%  |
| * See questionnaire.                                                                                                                                                                                                                                                                        |       |     |

Table 6

| Imagine that your member of Congress were in FAVOR of _____. At the next election, would you be MUCH more likely, SOMEWHAT more likely, somewhat LESS likely, or MUCH less likely to vote for him or her, or wouldn't this make a difference to you? |       |      |      |      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------|------|------|
|                                                                                                                                                                                                                                                      | Women |      | Men  |      |
|                                                                                                                                                                                                                                                      | More  | Less | More | Less |
| Imagine that your member of Congress were in FAVOR of this Patient Protection Act...                                                                                                                                                                 | 75%   | 6%   | 71%  | 7%   |
| Imagine that your member of Congress were in FAVOR of expanding the Family and Medical Leave Act to cover more working people...                                                                                                                     | 63%   | 11%  | 51%  | 20%  |

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Table 7

Some states are considering proposals that would establish Family Leave INSURANCE. They could do this by expanding unemployment or disability insurance to provide partial wages when people need to take time from work to care for a newborn or a newly adopted child, to care for a seriously ill parent, child, or spouse; or to recover from their own serious illness. Would you STRONGLY favor, SOMEWHAT favor, somewhat OPPOSE, or STRONGLY oppose that proposal?

|                | Women | Men |
|----------------|-------|-----|
| Strongly favor | 55%   | 43% |
| Total favor    | 82%   | 75% |
| Total oppose   | 10%   | 19% |

Table 8

If the Patient Protection Act were to raise your out-of-pocket costs for health insurance, how much more would you be willing to pay a month for these protections?

|                                   | Women | Men |
|-----------------------------------|-------|-----|
| Nothing                           | 22%   | 23% |
| One to five dollars a month       | 25%   | 24% |
| Five to ten dollars a month       | 17%   | 17% |
| Ten to fifteen dollars a month    | 9%    | 10% |
| Fifteen to twenty dollars a month | 11%   | 15% |
| Total willing to pay              | 62%   | 66% |

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Table 9

|                  | Percent who favor<br>expanding FMLA | Percent who favor a<br>national Patient<br>Protection Act |
|------------------|-------------------------------------|-----------------------------------------------------------|
| Republicans      | 70%                                 | 86%                                                       |
| Republican women | 77%                                 | 87%                                                       |
| Republican men   | 63%                                 | 84%                                                       |
| Independents     | 79%                                 | 89%                                                       |
| Democrats        | 87%                                 | 93%                                                       |
| Under age 40     | 83%                                 | 93%                                                       |
| Age 40 to 59     | 82%                                 | 89%                                                       |
| Age 60 and over  | 71%                                 | 86%                                                       |
| Working women    | 86%                                 | 92%                                                       |
| Homemakers       | 83%                                 | 89%                                                       |
| Retired women    | 75%                                 | 87%                                                       |
| White            | 78%                                 | 89%                                                       |
| Black            | 87%                                 | 96%                                                       |
| Hispanic         | 83%                                 | 89%                                                       |

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Table 10

| Now, tell me whether you think each of these WILL get harder or easier during the NEXT five years. |        |        |        |        |
|----------------------------------------------------------------------------------------------------|--------|--------|--------|--------|
|                                                                                                    | Women  |        | Men    |        |
|                                                                                                    | Harder | Easier | Harder | Easier |
| Making sure your family can get quality health care.                                               | 43%    | 38%    | 42%    | 41%    |
| Finding time for both work and family responsibilities.                                            | 49%    | 33%    | 46%    | 34%    |

Table 11

| Thinking ahead to the next ten years, how likely is it that you will need to take time off from work to care for a newborn or a newly adopted child, to care for a seriously ill parent, child, or spouse; or to recover from your own serious illness - is it VERY likely, SOMEWHAT likely, somewhat UNlikely, or VERY unlikely? |        |          |        |          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|----------|--------|----------|
|                                                                                                                                                                                                                                                                                                                                   | Women  |          | Men    |          |
|                                                                                                                                                                                                                                                                                                                                   | Likely | Unlikely | Likely | Unlikely |
| Under age 40                                                                                                                                                                                                                                                                                                                      | 67%    | 28%      | 71%    | 24%      |
| Age 40 to 59                                                                                                                                                                                                                                                                                                                      | 54%    | 41%      | 53%    | 41%      |
| Age 60 and older                                                                                                                                                                                                                                                                                                                  | 17%    | 69%      | 22%    | 68%      |
| Thinking ahead to the next ten years, how likely is it that you will be responsible for the care of an elderly parent or relative - is it VERY likely, SOMEWHAT likely, somewhat UNlikely, or VERY unlikely?                                                                                                                      |        |          |        |          |
|                                                                                                                                                                                                                                                                                                                                   | Women  |          | Men    |          |
|                                                                                                                                                                                                                                                                                                                                   | Likely | Unlikely | Likely | Unlikely |
| Under age 40                                                                                                                                                                                                                                                                                                                      | 65%    | 32%      | 65%    | 33%      |
| Age 40 to 59                                                                                                                                                                                                                                                                                                                      | 66%    | 32%      | 62%    | 34%      |
| Age 60 and older                                                                                                                                                                                                                                                                                                                  | 25%    | 65%      | 30%    | 64%      |

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### Summary of Survey Results

Despite an improving economy, Americans say that pressures on their families are getting worse, not better. *Time and health care* are central to these pressures:

- **Time.** By a margin of three to one, Americans say that "time pressures on working families" are getting worse (64%), not better (17%), and that "finding time for both work and family responsibilities" has gotten harder (59%) for families like theirs, not easier (22%), over the past five years.
  - Indeed, Americans are more likely to say time pressures are getting worse than that crime is getting worse (56% worse, 27% better), and they say that finding enough time for both work and family is as hard as making ends meet (57% harder, 33% easier). In the end, half of Americans *personally* worry about "shortchanging your family, your job, or yourself because you do not have enough time to do everything you need to do" (46% worry at least somewhat often, 24% very often).
  - Both women and men feel significant time pressures. 63% of men and 65% of women say that time pressures are getting worse.
- **Health care.** Americans think the health care system is getting worse (48%), not better (30%), and that "making sure your family can get quality health care" has gotten harder (48%), not easier (32%).
  - One in two *personally* worries about having health care costs not covered by insurance (52% worry, including 32% who worry *very often*), about "getting quality health care if you or someone in your family gets sick" (46% worry, including 27% who worry *very often*) and about "having your health insurance or health plan deny you coverage for treatment or access to a specialist that your doctor recommended" (47% worry, including 26% who worry *very often*).

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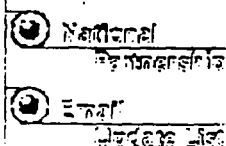
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- Women with kids at home, whether they work or not, worry somewhat more about health care issues than women without kids. For example, 56% of working mothers and 60% of non-working mothers worry often about health care costs, compared to 51% of women who do not have children.

**Americans have high expectations of both business and government; they want both to help ease the pressure on working families.**

- While just 34% think that employers are doing a good job now in making changes to help workers meet family needs, a majority (58%) think (or hope) that they will be doing a better job five years from now. Moreover, Americans are nearly unanimous in their belief that "employers and businesses should do more to help working families" (90%).
  - Republicans and Democrats agree on this: 88% of Republicans say that employers and business should do more, compared to 93% of Democrats. Women and men also agree on this; 89% of men and 90% of women say that employers and businesses should do more. On this issue, the partisan gap is equally small among men and women.
- A smaller but also substantial majority think that "government should do more to help working families" (72%). Democrats and Independents, among both men and women, believe this by wide margins (84% of Democrats and 77% of Independents). Among Republicans, Republican women agree that government should do more (60%); it is only Republican men who do not (44% say government should do more, 54% say it should not).
  - Younger Americans are more likely than older people to believe that government should do more. Among both men and women, more than 75% of those under age 50 say government should do more, rising to more than 80% among those under age 30.
  - Hispanic and African Americans are more likely than whites to say that government should do more: 90% of African Americans and 88% of Hispanics, compared to 68% of whites, say government should do more.

**Large majorities support both public and private solutions to the time pressures on families.**

- **Business.** Large majorities of Americans believe it is important for employers to provide workers with the ability to take time for their families: 77% say it is important for employers to provide employees time off from work to care for an ill family member or new baby; 59% say it is important for employers to provide employees with enough flexibility to adjust their work hours to meet their families' needs. In addition, 57% say it is important for employers to

provide assistance in finding child or elder care. About half say it is important for employers to provide employees time off to meet with their children's teachers (55%) or for routine doctors' appointments (48%).

- **Government.** Of the 59% of Americans who are familiar enough with the federal Family and Medical Leave Act to have an opinion, nearly nine out of ten (88%) have a favorable opinion, while just 12% are unfavorable. Moreover, by wide margins, Americans favor expanding the FMLA further:
  - 79% support expanding the FMLA threshold to cover mid-size companies, lowering the threshold from 50 to 25 employees, including 52% who support this *strongly*;
  - 84% support providing an additional 24 hours leave for routine doctors' appointments or meetings with children's teachers, including 62% who support this *strongly*;
  - 79% support states establishing Family Leave Insurance by expanding unemployment or disability insurance, including 50% who support this *strongly*;
  - 86% support allowing victims of domestic violence to use the FMLA to take leave, including 63% who support this *strongly*;
  - 77% support expanding the FMLA to cover more part-time workers, including 48% who support this *strongly*.

**Women also want and expect employers to do a better job in treating women fairly.**

- Currently, a majority of American women do *not* think employers are doing a good job in "treating women fairly for pay and promotions": 39% say the job they are doing is "just fair," and another 19% say it is "poor." Just one in three say employers are doing a good job, including 29% who say they are doing a "good" job and 7% who say they are doing an "excellent" job.
- At the same time, expectations are high: two in three women expect that employers will be doing a better job on this issue five years from now (67%), compared to just 12% who expect them to do worse and 15% who predict little change.

**Time issues are not "women's" issues; they are family issues.**

- Across the board, men are as likely as women to say that it is important for employers to give workers time off to meet family responsibilities, and large majorities of men as well as women support FMLA expansion.
- Support for expanding the FMLA is as strong among homemakers as among women in the workforce. Indeed, there is no significant difference at all between homemakers' support for each of the ways FMLA could be

expanded, and support among full-time working women.

- Concerns over time issues are only likely to intensify over the next decade. One in three Americans, and as many men as women, say it is "very" likely that they will need to take family leave during the next ten years (29%), and a majority say it is at least "somewhat" likely (51%). Similar proportions expect to have responsibility for the care of an elderly parent or relative: 31% say this is "very" likely, 54% say this is at least "somewhat" likely.
  - These concerns are highest among younger Americans: 69% of those under age 40 say it is likely they will need family leave in the next ten years, including 74% of those under 30. Sixty-nine percent of those aged 30 to 39 say they will have responsibility for an elderly person.
  - Hispanic Americans and African Americans are more likely than white Americans to expect to need leave during the next ten years: 57% of these minorities expect to need leave, compared to 47% of whites.
- Not surprisingly, mothers have the most intense concerns about time for family needs, and there is little variation across marital or work status. Women with children at home are much more likely than non-mothers to say that it is extremely important to them personally for employers to provide time off for a family illness (69% of mothers rate this a "10" in importance, compared to 53% of women without children at home), teachers' visits (46% and 28% respectively), or flexible hours (47% and 33%). Married and unmarried mothers have similar levels of intensity, as do homemakers and mothers who work outside the home.

**In choosing a health care plan, *quality* is the single most important concern, and Americans are more willing than ever both to demand quality standards and to pay more for them if necessary.**

- Half say that "the quality of care" is the single most important thing to them in choosing a health care plan (47%), compared to fewer than one in five who say they care most about the type of services covered (14%), the choice of doctors (14%), or the cost (14%). This is true among both men and women: 48% of men and 46% of women say that quality is most important.
- Nearly all Americans agree that "health insurance companies and health plans should be required to meet basic quality standards" (93%). Two-thirds believe that these standards should be set at the national or state level (66%). Only a small minority would leave standards to competition in the marketplace (17%).
- Nine in ten (90%) of Americans would support a national Patient Protection Act including a wide array of quality

standards, including 68% who would support this strongly. Support is equally strong among men (89%) and women (91%), and it is nearly as strong among Republicans (86%) as independents (89%) and Democrats (95%).

- The most important elements of such an act include a wide range of basic protections, including standards that have particular relevance for women:
  - "Your doctor, rather than the insurance company, having the last word on how long you should stay in the hospital": 90% say this is very important, including 64% who say it is *extremely* important.
  - "Having confidence that your health insurance company or health plan will keep your records completely confidential": 90% say this is very important, including 61% who say it is *extremely* important.
  - "Making sure that your doctor is allowed to discuss any treatment or procedure with you that might be appropriate, even if your health insurance or health plan does not cover it": 92% say this is very important, including 58% who say it is *extremely* important.
  - "Being able to appeal any decision your health insurance company or health plan makes denying you coverage for a certain treatment": 90% say this is very important, including 56% who say it is *extremely* important.
  - "Having clear information on what services are and are not covered by your health insurance or health plan": 91% say this is very important, including 56% who say it is *extremely* important.
  - "Having doctors who are specifically trained in women's health care needs": 82% of women say this is very important, including half (51%) who say this is *extremely* important.
  - "Being able to schedule an appointment directly with a gynecologist or obstetrician without having to be referred by your primary doctor": 78% of women say this is very important, including 48% who say this is *extremely* important.
  - "Being able to choose a gynecologist or a pediatrician as the primary doctor for yourself or a member of your family, instead of a general practitioner": 74% of women say this is very important, including 41% who say this is *extremely* important.
- Two-thirds of Americans are willing to pay more for these protections, despite rising health care costs: 63% are willing to bear higher out-of-pocket costs for these protections, including 40% who are willing to pay more than five dollars a month. Only 22% say they would not be willing to pay more.
- Women make the health care decisions. Two-thirds of

women (63%) say they make most of the decisions about their families' medical care, compared to half of men (52%). Similarly, half of married women (50%) say they make most of the health care decisions in their families, compared to just a third (35%) of married men.

**Americans rely on a range of sources for information about their health plans.**

- People rely most on their insurance companies and plans for information: 47% say they rely a lot on their plan for information, 72% rely at least some on their plan. Doctors and employers, however, are also key sources of information: 61% rely on their doctors for information, including 39% who rely on them a lot, 50% rely on their employer, including 27% who rely on their employer a lot.
  - Seniors and people with less education rely as much on their doctor for information about their plan (48% of seniors and 44% of high-school educated Americans rely on their doctor a lot) as on their insurance company or health plan.
  - Younger people tend to rely more than others on family and friends for health plan information (41% of people under 40 rely on family and friends at least some, compared to 27% of seniors).
- Women in traditional fee-for-service plans are much more satisfied with the information they get from their health plan than women in managed care: 41% of women in traditional plans say the information provided is excellent, compared to 32% of women in PPOs (preferred provider organizations) and just 27% of women in HMOs (health maintenance organizations).
- In general, Americans rate the information they get from their employers more highly than the information they get directly from their health plan: 36% say the information they get from their employer is excellent and 20% say it is "just fair or "poor," compared to 30% who say the information they get directly from their health plan is excellent and 25% who say it is fair or poor. For both employers and plans, 42% say the information they get is "good."
- Hispanic and African Americans are less likely than whites to be positive about the information they get on their health care plans: 33% of whites, compared to 20% of African Americans and 21% of Hispanics, say that the information they get from their health plan is "excellent"; 38% of whites, compared to 28% of African Americans and 32% of Hispanics say that the information they get from their employer is "excellent."

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## Family and Medical Leave Act Feature Story of the Month

Christie Sens  
Arlington, Virginia

FAMILY LEAVE -- CHILDBIRTH

### According to working mother Christie Sens:

Ms. Sens is a first grade teacher for a public school in Fairfax County. In 1993, after learning she was pregnant with her first child, she called the personnel department to find out about the school's maternity leave policy. Initially, she was told that she had to choose between taking either six weeks or an entire year of leave.

Although she thought six weeks was not enough to spend with a newborn, Ms. Sens also knew one year was a period her family could not afford without her salary. When her husband told her about the newly passed Family and Medical Leave Act, she obtained a copy of the Act and sent it to the school. Though it took five long months before the school adjusted its policy to the FMLA, Ms. Sens was granted 12 weeks of leave after the birth of her daughter, Emilia, and was allowed to go back teaching a first-grade class, as she had before the leave, on her return.

While Ms. Sens' class enjoyed a wonderful substitute in her absence, she had time to recover, bond with her child and find her a suitable day care provider. She concluded, "My entire family benefitted immensely from the law. At the same time, I feel confident that had I been forced to return to the classroom six weeks after giving birth to a new baby, my six-year-old students would have suffered. I can't imagine what Emilia's and my first few months would have been like if not for this excellent law."

In late 1995, Ms. Sens was pregnant with her second child and again was able to rely on the FMLA. Her son, Jonah, will turn three on February 20, 1999. Ms. Sens added, "Thank God for the FMLA! I really do not know what my husband and I would have done without it. I knew I did not need to worry about my job because the FMLA was there."

*Christie Sens testified before the Family Leave Commission on August 4, 1995*

Have YOU ever needed to take family or medical leave? The



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National Partnership for Women & Families wants to know your story! Stories are the best way to show how well the FMLA is working and why more families need its protection. Please take a few minutes to answer some basic questions.

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# FMLA Q & A

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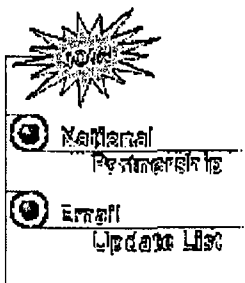
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In early 1993, President Clinton signed the *Family and Medical Leave Act* (FMLA), culminating a nearly decade-long struggle to enact legislation that would allow people to take time off from work to care for their families or themselves.

Before this law was enacted, many American employees were unable to take time off from work in family emergencies for fear of losing their jobs. In fact, according to the U.S. Bureau of Labor Statistics, in 1990 only 37 percent of all working women in firms with 100 employees or more were eligible for unpaid maternity leave upon the birth of a child. In the decades before this law, untold thousands of employees were forced to choose between caring for their families or keeping their jobs.

To address this intolerable situation, the FMLA was developed. It guarantees that people who work for companies with more than 50 employees can take up to 12 weeks' unpaid leave a year to care for a newborn or newly adopted child or for certain seriously ill family members, or to recover from their own serious health conditions.

Although this law is relatively straightforward, some employees and employers may be unsure about how it actually works. This Guide is designed to answer many frequently asked questions about the FMLA. It is generally based on the regulations explaining the FMLA issued by the U.S. Department of Labor (Labor Department), which enforces the law.

This Guide explains the operation of the federal FMLA alone. In many cases, however, employees have additional protections against losing their jobs -- such as protections found in state family and medical leave laws, union contracts, or laws that prohibit discrimination on the basis of disability. These may provide greater benefits or security than the federal FMLA. For example, the FMLA guarantees 12 weeks of leave a year; but state law, a union contract, or the *Americans with Disabilities Act* may give an employee a longer period of job protection. (*See Questions 53-55 for more information about other laws that also affect family and medical leave.*)

This Guide can only describe the law and regulations in general. To find out how the FMLA, as well as the laws or contracts mentioned above, affect your particular situation, contact a lawyer who specializes in employees' rights, the Labor Department's Wage and Hour Division (1.800.959.FMLA), your state labor department, and/or your union.

[Read the entire text](#)

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## What The Family And Medical Leave Act Means To You

### What does the Family and Medical Leave Act ("FMLA") do?

The law allows you to take up to 12 weeks of unpaid leave from your job every year:

- to care for newborn or newly adopted children;
- to care for children, parents or spouses who have serious health conditions; or
- to recover from your own serious health condition.

After you take family or medical leave, the law entitles you to return to your previous job, or to an equivalent job with the same pay, benefits and other conditions.

This law goes into effect for most employers on August 5, 1993. If you have a union, the effective date depends on your collective bargaining agreement -- check with your union.

### Am I covered by FMLA?

You are covered if:

- you work for a private employer that has 50 or more employees within 75 miles of your workplace, the federal government, or a state or local government; and
- you have worked for your employer for one year and at least 1,250 hours during the previous year.

### How will taking family and medical leave affect my health insurance?

Your employer must continue to pay your health insurance premiums at the same rate while you are on leave. But if you don't return to work after leave, your employer may try to recover the cost of the health insurance premiums -- unless the reason you didn't return to work was continuation of a serious health condition or other circumstances beyond your control.

## **When do I have to tell my employer that I want to take family or medical leave?**

If you need leave for birth or adoption of a child or for a planned medical treatment, you must give 30 days' advance notice -- or as much notice as is possible under the circumstances.

No advance notice is required for unplanned medical conditions or treatments.

## **Do I need any information from a doctor?**

Your employer may require you to obtain certification from a doctor or other health care provider if the leave is for a serious health condition -- your own or a family member's.

The certification must include the date the condition began, how long it will probably last, and the schedule of treatment. The U.S. Department of Labor provides a form that health care providers can fill out.

## **What if my employer doesn't give me the leave or doesn't give me my job back when I return from leave?**

You can file a complaint with the Department of Labor, or sue your employer. The Labor Department's Wage and Hour Division has offices throughout the United States. Look in your local phone book for the nearest office, or call the U.S. Department of Labor at 202 219-6666.

If your rights under the FMLA are violated, you may get your job back, and get damages for your lost wages and benefits and legal costs. The damages could be up to double what you actually lost in pay.

## **What if my state has a law that is different from the federal FMLA?**

States can require that employees receive family and medical leave that is more generous than federal law. But no state can provide fewer rights. To find out more about your state's law, contact your state's labor department.

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## What It Took to Pass the Family and Medical Leave Act A Nine-Year Campaign Pays Off

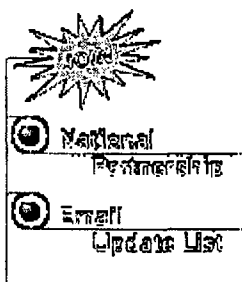
Donna R. Lenhoff, General Counsel  
National Partnership for Women & Families  
August 18, 1994

The phone call was from someone in Representative Howard Berman's office. A federal district court had recently struck down California's maternity-leave law as sex discrimination against men. Could I come to a meeting with the Congressman and then-California state legislator Maxine Waters to discuss how to "save" maternity leave?

On that afternoon in 1984, I had the usual millions of things to do, but I jumped at the chance to address parental leave with a legislator. Since Congress had passed the Pregnancy Discrimination amendments in 1978, we in the feminist legal community had been acutely aware that traditional maternity-leave programs were woefully inadequate. First, they were state- or employer-specific: there was no national policy; indeed, the United States stood shamefully alone among industrialized nations in not guaranteeing women their jobs after they had babies. Second, maternity-only leave programs might run afoul of principles of equality for which we had fought dearly. And finally, such programs did not address women's (and men's) needs for family leave beyond periods of childbirth-related disability. Might this initiative be an opportunity to establish comprehensive, gender-neutral family and medical leave on a national basis?

The meeting did turn out to be the pivotal first step. Convinced that the problem needed more than just a "fix" for the California maternity-leave law, Representative Berman agreed to pursue our approach. After the meeting I sat down at a typewriter (yes, a typewriter!) with a member of his staff and outlined a legislative proposal. That draft was the basis of what eventually became the Family and Medical Leave Act ("FMLA"), of which Berman, along with Representatives Patricia Schroeder and William Clay and Senator Christopher Dodd, were original cosponsors.

To begin building support for this bill, the National Partnership for Women & Families, then called the Women's Legal Defense Fund, established and led a diverse national coalition of women's, labor, disability, children's, religious, senior citizens' groups, and even the United States Catholic Conference. But it took a long ten years from that day in 1984 -- years that saw virtually every twist and turn of the legislative process -- before the bill became the law of the land.



FMLA's predecessor was first introduced in the 99th Congress (1985-86), and though it was reported

President Clinton wanted to make FMLA the first law he signed, and as soon as possible...

out of Committee in the House it never even saw a hearing in the Republican-controlled Senate. In the 100th Congress, Senator Dodd's Subcommittee on Children and Families heard from dozens of witnesses at seven hearings around the country; the bill prompted then Vice-President George Bush to make a campaign promise to the effect that "women shouldn't lose their jobs when they have new babies or sick children"; but in the end, proponents couldn't defeat a filibuster in the full Senate.

In 1990, and after some significant compromises that reduced the period of leave entitlement and raised the small-employer exemption, the bill had gained sufficient bipartisan support -- including from many anti-choice Members who could not oppose a bill that made it easier for women to have babies -- to pass both the House and the Senate. One of the best moments in that House debate was when Representative Henry Hyde, Republican and arch enemy of women's right to choose, rose to speak in favor of FMLA! Nevertheless, President Bush reversed his campaign promise and vetoed the FMLA that year, and the House failed to override the veto.

By the 102nd Congress (1991-92), FMLA had become such a cause celebre that its advocates were able to secure the coveted bill numbers "H.R. 2" and "S. 5" for it -- signaling that it was one of the top five priorities of the leadership for that Congress. After a final compromise that tightened notice and eligibility requirements and created an enforcement mechanism parallel to that of the Fair Labor Standards Act, the bill passed the Senate overwhelmingly -- with a veto-proof margin. In the House, however, the margin was still insufficient to override, and President Bush's second FMLA veto became a key issue in the 1992 Presidential campaign.

Finally, in 1993, all the years of attending drafting sessions with Legislative Counsel, reviewing Committee Reports, assessing compromise proposals, and organizing -- organizing witnesses' testimony and press conferences and constituent visits and target lists and editorial-board mailings and "Hill drops" and fact-sheet distribution and research dissemination and endless coalition meetings -- were, thankfully, over. President Clinton wanted to make FMLA the first law he signed, and as soon as possible. So starting on Inauguration Day we worked furiously to ready the bill once more for passage, and this time for signing. Senator Dodd held his hearing on FMLA the Friday after Inauguration; the House hearing and Committee action in both chambers were completed within a week. The following Thursday, both the House and Senate passed the bill, and the very next day, a balmy February 5, 1993, President Clinton held his first signing ceremony in the Rose Garden.

FMLA went into effect for most employers six months later, and in every community there are workers with personal stories of how this law Act has provided badly needed security in times of crisis. Two examples:

- Maria Herrera, a nurse assistant in San Rafael, California, returned from pregnancy leave to learn that her employer had changed her work shift to include weekend hours. Because Ms. Herrera could not find affordable child care for an infant on weekends, she was successful in getting reinstated to her former shift because the FMLA requires reinstatement to an equivalent position.
- Kenny Weaver, a technician at an oil plant outside Houston, was able to take time off to be with his eleven-year daughter in the last few weeks of her life before she died of cancer because of FMLA.

The Government Accounting Office estimates that 2.5 million people will be eligible to take family or medical leave each year.

Of course, FMLA is far from perfect. It does not cover workers at firms that employ fewer than 50 employees -- about half the workforce. And it guarantees only unpaid leave, which families who depend on each paycheck to survive often cannot afford to take (although it does help them to retain their jobs, and the prospect of paychecks, when they have no choice but to be on leave because of a medical condition). But it is a start, a foundation upon which we can build the kind of family-supportive work environment that women need to have true equal opportunity, that families need to cope with the increasing demands of our economy, and that employers need to increase their workers' productivity.

---

The entire history of the FMLA can be found in *Conflict and Compromise: How Congress Makes the Law*, by Ronald D. Elving (Simon & Schuster, 1995).

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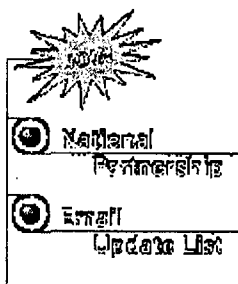
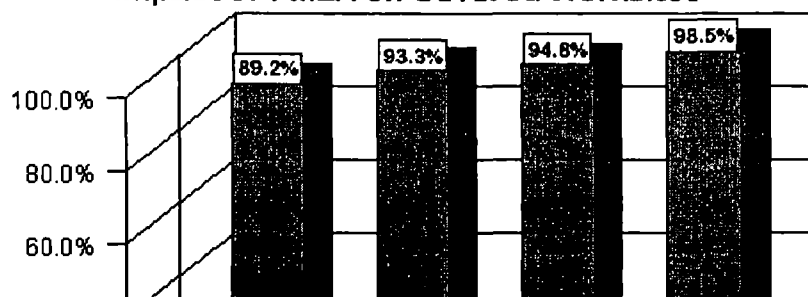
## The FMLA Works for America's Working Families and Employers: Findings of the Family Leave Commission

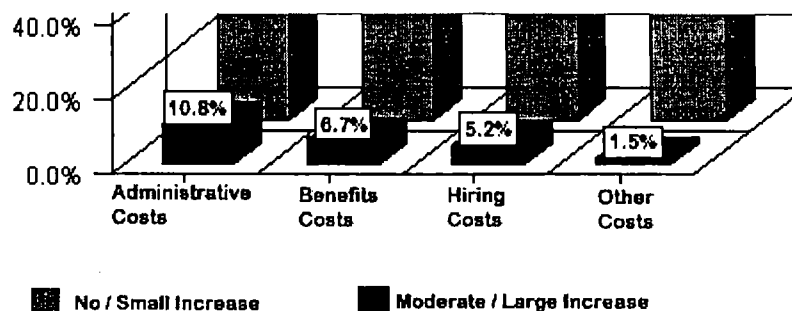
The Family and Medical Leave Act (FMLA) of 1993 helps American working families care for new babies and cope with serious illnesses without losing their jobs or health insurance. When the FMLA became law, Congress created the bi-partisan Commission on Leave to study the FMLA's impact on both employers and employees. In 1995, the Commission conducted two separate national, random-sample surveys, asking employers and employees about their experiences with the FMLA and family and medical leave in general. This extensive, nationally representative research showed that the FMLA helps working families without hurting employers, despite opponents' dire predictions. What follows are some of the Commission's most significant findings, drawn from its report, A Workable Balance: Report to Congress on Family and Medical Leave Policies (1996).

### Employees Need and Use the FMLA

- The survey found that about one-fifth of American workers needed some form of FMLA-covered leave. Men took 42% and women 58% of all leaves.
- Nearly two-thirds (64%) of employees who needed -- but did not take -- family or medical leave did not take it because they could not afford to use unpaid leave.
- Nine percent of FMLA leave-takers were forced to turn to public assistance to help cover the wages they lost as a result of taking family or medical leave. Of women leave-takers, this percentage was even higher: 12%.
- Most periods of leave are short -- ten days is the median length -- with the great majority (almost 90%) falling within the FMLA's 12-week limit.
- The majority of leave-takers -- 84% -- return to their same employer after leave.

**Cost to Employers**  
**Impact of FMLA on Covered Worksites**





- The great majority of covered worksites -- between 89.2 and 98.5% -- found that compliance with the FMLA entails little or no cost in four broad areas: general administrative costs; cost of continuing health benefits; costs associated with hiring and training replacements for employees on leave; and "other" costs.
- The FMLA has not proved to be the administrative burden employers had feared. The vast majority of covered worksites (over 90%) found it very or somewhat easy to determine whether the FMLA applies to them and to determine employee eligibility. A significant majority also found other administrative responsibilities to be very or somewhat easy.
- The majority of worksites also reported that the FMLA had no noticeable effect on their productivity (86.4% of worksites), profitability (92.5%), or growth (95.8%). To the contrary, most covered employers found that the FMLA had significant positive effects in employee career advancement, employee productivity, and employees' ability to care for family members.
- Covered worksites' actual experiences with the FMLA were much more positive than non-covered businesses anticipated. Almost 17% of non-covered worksites anticipated that the FMLA would require a large increase in administrative costs, and 18% anticipated a large increase in hiring and training costs. But only 1.4% of covered worksites actually experienced a large increase in administrative costs, and only 1% experienced a large increase in hiring and training costs.

### **The FMLA Has Had a Positive Impact on Employer Leave Practices**

- Two-thirds of covered worksites changed some aspect of their policies to comply with the FMLA -- most commonly, to increase the reasons for which employees can take leave.
- Worksites covered by the FMLA offer significantly different family and medical leave policies than do non-covered worksites. Among non-covered worksites, only one-third offer parental leave, and less than half (41.7%) offer leave to care for a seriously ill child, spouse, or parent.

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Good, scrubbed  
data.

Carol - This was  
never released

## EXPANDING THE FAMILY AND MEDICAL LEAVE ACT TO HELP FAMILIES BALANCE WORK AND FAMILY RESPONSIBILITIES

January 27, 1998

*In the new economy, most parents work harder than ever. They face a constant struggle to balance their obligations to be good workers -- and their even more important obligations to be good parents. The Family and Medical Leave Act was the very first bill I was privileged to sign into law as President in 1993. Since then, about 15 million people have taken advantage of it, and I've met a lot of them all across this country. I ask you to extend that law to cover 10 million more workers, and to give parents time off when they have to go see their children's teachers or take them to the doctor.*

--President Bill Clinton  
State of the Union Address, 1/27/98

In his State of the Union Address, President Clinton called on Congress to extend the benefits of the Family and Medical Leave Act -- the first piece of legislation that the President signed into law -- to ten million more American workers.

**BIPARTISAN REPORT SHOWS THE LAW IS WORKING.** Since the Family and Medical Leave Act was enacted in 1993, at least fifteen million Americans have taken FMLA-covered leave. Today, workers are eligible for FMLA-protected leave if they work at a business with 50 or more employees and if they have worked at least twelve months and 1,250 hours for the employer. FMLA allows eligible employees to take up to 12 weeks unpaid, job-protected leave to care for a newborn or adopted child, to attend to their own serious health needs, or to care for a seriously ill parent, child or spouse. The bipartisan Commission on Leave -- chaired by Senators Craig and Dodd -- reported that the law is working:

- **67 million Americans -- over half of all workers -- are guaranteed they can take leave from their job to care for a sick relative or a newborn child without fear of losing their job or health insurance.**
- **Millions of Americans have taken leave since the enactment of FMLA.** During the 18-month period covered by the Commission's study (1/94 - 6/95), an estimated 12 million Americans took leave for FMLA-covered purposes.
- **40% of all workers think they will need to take leave for a covered reason at some time in the next five years.**
- **Despite its opponents' claims, compliance is easy and costs are low for most employers now covered by the law:**
  - **Nine out of ten employers find the law "very" or "somewhat" easy to administer.**
  - **Compliance entails either little or no costs for 89%-99% of businesses.**
  - **Smaller covered worksites found it easier to comply than larger sites.**
- **Some businesses have reported reduced employee turnover, enhanced productivity and improved morale which they attribute to the Act.**

**NOW IS THE TIME TO EXPAND THE LAW TO COVER MORE WORKERS AND BETTER HELP WORKERS CARE FOR THEIR CHILDREN AND PARENTS.** The President believes that it is time to expand the benefits of the law. He is urging the Congress to:

- **Enable workers at businesses with 25 or more workers to take unpaid, job-protected leave -** current law covers businesses of 50 or more employees. Lowering the employer coverage threshold from 50 to 25 workers will mean that FMLA will cover up to ten million more American workers, allowing them to take up to twelve weeks unpaid, job-protected leave to care for a newborn or adopted child, to attend to their own serious health needs, or to care for a seriously ill parent, child or spouse.
- **Allow FMLA-eligible workers to take up to 24 hours of additional leave each year to meet specified family obligations,** including routine doctors appointments and parent-teacher conferences. Leave could be taken to: (1) participate in school activities, such as parent-teacher conferences; (2) accompany your child to routine dental or medical appointments; and (3) accompany an elderly relative to routine medical appointments or other professional services.

we announced our support for this last yr.



National Partnership  
for Women & Families

September 17, 1998

Nicole Rabner  
Associate Director for Domestic Policy  
The White House  
1600 Pennsylvania Avenue, NW  
Second Floor, West Wing  
Washington, DC 20500

Dear Ms. Rabner:

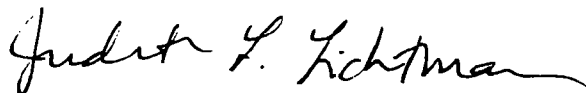
As you know, this past August 5th marked the fifth anniversary of the effective date of the Family and Medical Leave Act (FMLA) of 1993. We have attempted to do a "round-up" of the media coverage that this anniversary received -- which included a feature on ABC's Good Morning America with a live appearance by our General Counsel Donna R. Lenhoff. *Christian Science Monitor*, *Marketplace*, Bloomberg Radio Network and many regional newspapers, ranging from the *Boston Globe* to the *San Francisco Chronicle*, also ran FMLA pieces.

Most of the media were particularly interested in interviewing individuals and businesses who have had experiences with the FMLA, and who support expanding the FMLA. We have posted the stories of over 40 such "FMLA users" -- all of whom are willing to talk to the press and public -- on our website, at <http://www.nationalpartnership.org/workandfamily/fmleave/stories/storymain.html>.

For your convenience, I've enclosed a packet of print media coverage with this letter.

The struggle to meet both work and family responsibilities remains a top concern for American women and men. The FMLA has helped 20 million Americans in their efforts to meet these responsibilities, and its fifth anniversary marked a significant milestone. I thank you for your part in making family and medical leave a reality five years ago; for your continued work in ensuring its enforcement and implementation; and for your support for our efforts to expand the FMLA, to make family leave more available to more working people.

Sincerely,



Judith L. Lichtman  
President

Enclosures

# Family Leave Offers a Matchless Gift – Care Time at Home

BY MARILYN GARDNER  
STAFF COLUMNIST OF THE CHRISTIAN SCIENCE MONITOR

As anniversaries go, it will be a low-key celebration. No big parties, no cakes with five candles, no balloons and noisemakers. But for family advocates in Washington and elsewhere, today marks a significant, hard-won victory for American families.

This is the fifth anniversary of the federal Family and Medical Leave Act. Since Aug. 5, 1993, workers at firms with 50 or more employees have been able to take as many as 12 weeks of job-protected, unpaid leave to care for a baby or a family member, or to recover from their own illness. An estimated 20 million families have benefited, according to the National Partnership for Women & Families in Washington.

The story actually begins 14 years ago. In 1984 a federal court struck down California's maternity-leave law, calling it sex discrimination against men. Donna Lenhoff, general counsel of the National Partnership, formerly the Women's Legal Defense Fund, received a desperate call from Rep. Howard Berman (D) of California, who as a state legislator had helped sponsor the bill. How, he asked, could they save maternity leave in the state?

During a meeting Ms. Lenhoff, Representative Berman, and a few others took a broader approach. "We wanted it to be national, to cover not just maternity but paternity, and not just childbirth but adoption and sick leave," Lenhoff explains.

After leaving the room, she sat down at a typewriter – remember typewriters? – and drafted an outline in statutory language. As she describes it, "The great-great-great granddaughter of that proposal became the Family and Medical Leave Act."

Initially, many employers' objections centered around money, even though leave time is unpaid. But in an encouraging study released two weeks ago by the Families and Work Institute in New York, 42 percent of businesses say benefits outweigh costs. Another 42 percent report that the law is cost-neutral, with benefits and costs offsetting one another. Just 17 percent of businesses find that costs outweigh benefits.

Other objections are philosophical. Some opponents, Lenhoff says, believe that "the private market should always decide matters between employers and employees – that there should be no government standard set." Many in this group, she adds, would oppose minimum-wage or overtime laws on

similar grounds.

As the workplace becomes more diverse, and as extended families scatter, more and more employees find themselves shouldering caregiving responsibilities alone. And although the media spotlight has typically focused on the need to care for newborns, the importance of family leave may be shifting to include a less visible generation.

In a new survey by the Conference Board in New York, 94 percent of corporate executives at major companies in the US, Europe, Canada, and Australia say elder care will become an increasing concern over the next five years. Another study by the National Partnership finds that more than half of employees think they will need to care for an elderly parent or relative in the next 10 years.

This demographic shift could strengthen support for family leave. If senior executives who have been less than sympathetic to the needs of young families find themselves needing to help their own parents, the act might suddenly take on new meaning for them.

The long arm of the law is always a suspect intruder in family matters. But without the benefits the act has brought, many employees would face the unacceptable alternatives of five years ago, when the workplace ultimatum too often was: "Your family or your job." This is one measure from Washington that is proving to be not only efficient and effective but also compassionate.



*As extended families scatter, more employees find themselves shouldering caregiving responsibilities alone.*

## Editorials

# Happy birthday to family leave

One small step is taken toward making workplaces friendlier.

**T**he Family and Medical Leave Act, 5 years old this week, has led to some welcome shifts toward more humane workplaces across the nation. For tens of millions of working Americans, the act has offered a priceless benefit — up to 12 weeks' leave, unpaid but with no loss in job security — to recover from serious personal illness, spend time with a newborn or newly adopted child, or care for a seriously ill family member.

Today, it's hard to believe the act took so long to pass — it was vetoed twice by President Bush — or that it remains at all controversial. The act still draws criticism from some employers, who say it is cumbersome to administer or who fear it may lead to malingering by dishonest workers. But many have come to realize the such compassionate policies more often lead to employee loyalty.

The federal Commission on Leave estimates that during an 18-month period in 1994 and 1995 about 20 million people, 58% of them

women, took FMLA leaves.

Family leaves allow employees precious time to deal with difficult issues that affect us all such as caring for a dying relative or the sleeplessness and emotional adjustments that arrive with a newborn without the added stress of losing a job or health benefits.

The FMLA has also encouraged the promising trend of fathers taking time to stay home with newborns, a benefit that was relatively rare before the act's passage.

Still, 42% of employees in the private sector are not covered by the act, which applies only to firms with 50 or more employees. Many who are covered remain discouraged from taking needed leave, either by a workplace culture that is dismissive of personal issues, or by an inability to afford the loss of salary during unpaid leave.

While the FMLA is the only federal law mandating maternity leave — unpaid — a study of 152 countries by the United Nations International Labor Organization found 80% offered some paid maternity leave. Viewed in that context, our Family and Medical Leave Act seems a mere baby step on the path toward a family-friendly workplace.

# Celebrating the Family and Medical Leave Act

**A** truck driver in Texas was fired a few years ago when he took unpaid leave to take care of his wife, who was pregnant with triplets. The U.S. Department of Labor intervened and the worker got a \$10,000 settlement from his former employer.

Five years ago, before the Family and Medical Leave Act took effect, that truck driver would have been out of a job and out of luck, Labor Secretary Alexis M. Herman said on the law's fifth birthday on Aug. 5.

The act guarantees that employees of companies with 50 or more employees can take up to 12 weeks of unpaid leave each year to care for seriously ill family members, for the birth or adoption of a child, or for their own serious health problems and still keep their job or an equivalent job.

On the law's recent anniversary, Herman declared it a success. She said that the act is helping workers balance their work and family lives and that it has not been as disruptive as some business owners had feared.

"The landmark measure reaffirmed a basic American principle: No worker should have to choose between the job they need and the family they love," she said. "The Family and Medical Leave Act gives workers legal assurance that they can be there for their families in the difficult times without jeopardizing their jobs or health insurance."

While the law has been a step in the right direction, it still does not provide enough protection for enough workers, says Ellen Bravo, co-director of 9 to 5, the National Association of Working Women.

"We do think it's been terrific and has made a big difference," said Bravo. "On this anniversary of implementation... let's use it as an opportunity to improve things even more."

About 30 percent of all workers in America are not covered by the law because it applies only to people who work for public agencies or private employers with 50 or more employees. The exemption was added in response to small businesses whose owners argued that they had too few workers to compensate when one goes on leave and that their businesses would take too great a financial hit if it was necessary to hire a substitute.

As a result, that same truck driver who was able to collect money from his employer when he was fired for taking time off to be with his wife and triplets would have had no recourse if his employer had employed 49 or fewer people.

There is a bill in Congress that would lower the



TERESA BURNEY  
COLUMN

threshold, making employers with 25 or more employees comply with the law, Bravo said.

Even employees of bigger companies are not covered unless they have worked for a company for a year. That presents a problem for those who are newly off welfare and in jobs. They could be fired for taking time off for a child's illness, Bravo said.

Nor does the act kick in for three days unless there is a medical emergency. That is a problem for someone who is sick with a routine illness for less than three days and doesn't have sick leave. Those people have to take the sick time without pay and could be fired for not showing up at work, Bravo said.

"People have this myth that everybody has not only sick leave, but sick leave they can use for sick children," she said.

"That is not true."

There is another bill in Congress that would allow people to take up to 24 hours of unpaid leave a year for things such as routine illnesses and school visits.

In any case, the act allows only for unpaid leave. That means many people may need to take time off to deal with a personal or family illness but do not because they cannot afford it.

In a 1996 survey, the main reason people said they did not take leave when they needed to was they could not afford it, Bravo said.

There are no bills in Congress to deal with that problem.

Since the Family and Medical Leave Act has been around, the Department of Labor has taken action on 12,633 complaints about employers not following the law. About 90 percent of those cases have been successfully resolved.

For information about rights and responsibilities under the Family and Medical Leave Act, call (800) 959-3652 or check the U.S. Department of Labor's Web site at <http://www.dol.gov/elaws>.

## Resources explain fine points of Family and Medical Leave Act

By The Star's Staff

The fifth anniversary of the Family and Medical Leave Act will be Wednesday. The federal act grants up to 12 weeks of unpaid, job-protected leave a year to certain qualified employees to help them care for personal or family medical needs, including childbirth and adoption.

The FMLA currently applies only to private employers who have 50 or more employees, but Congress is considering an amendment which would expand coverage to cover employers of 25 to 46. (Federal workers already have leave

rights similar to those granted by the law.)

A study last year by the bipartisan Family Leave Commission in Washington found that 42 percent of employees already covered by the law did not know about it. Partly for that reason, the National Partnership for Women & Families has undertaken a public education effort.

The partnership's free *Guide to the FMLA* is available by writing its headquarters at 1875 Connecticut Ave., N.W., Washington, D.C. 20009. The information also may be downloaded from its Web site at [www.nationalpartnership.org](http://www.nationalpartnership.org)

# A Time For Caring

San Francisco Chronicle  
San Francisco, CA  
August 3, 1998



BY LIZ HAFALIA/THE CHRONICLE

Scott Jones, an account executive at Federal Express, took 12 weeks off to care for his baby, Mallory.

## Family & Medical Leave Act is a workplace success story

By Ilana DeBare  
Chronicle Staff Writer

**A**ngela Holman took five months off from her job at Wells Fargo Bank when her daughter Alyssa was born in 1996. She's now taking another five months off to care for her second child, 2-month-old Kayla.

Holman says she will treasure this time for the rest of her life — along with the law that made it possible.

"Every time I look into my two babies' eyes, I am ever so grateful for the Family & Medical Leave Act," said Holman, a 35-year-old Menlo Park resident.

This week marks the fifth anniversary of the Family & Medical Leave Act, which requires large and midsize companies throughout the United States to provide 12 weeks of unpaid leave to employees with a newborn or newly adopted child, serious personal illness or a seriously ill family member.

The act initially was very controversial. Opposed by business groups as an unnecessary government intrusion into the workplace, it was vetoed twice by former Presi-

dent George Bush before President Clinton signed it into law.

But since taking effect on August 5, 1993, family leave has become firmly established as a part of life in corporate America.

Tens of millions of workers, like Holman, have taken FMLA leaves, secure in the knowledge that their jobs still will be there when they come back.

Employers complain that the FMLA is too complicated to administer and that it's so broadly worded that relatively minor ailments like ingrown toenails can prompt a leave.

But employers also have learned to live with the law. Wells Fargo, for instance, now employs about a dozen people whose sole responsibility is tracking leaves for the bank's 36,000-person workforce.

Some companies even acknowledge that the benefits of the FMLA outnumber its administrative costs.

"There's no question that the benefits outweigh the bas-

sles," said Scott Fortmann, a human resources lawyer for Intel Corp., which gave FMLA leave to about 2,400 of its 64,000 workers last year. "Leave provides a release valve for employees dealing with some pretty difficult issues. We're willing to suffer through some administrative hassles to get to a broad social good like this."

The FMLA covers an estimated 55 percent of the U.S. workforce — people who have been employed for at least a year by a government agency or by a company with 50 or more workers.

Under the law, workers can get up to 12 weeks off each year in blocks of time ranging from one long leave for "baby bonding" to a series of three-hour absences for chemotherapy. Employers must continue workers' health coverage while they're on FMLA leave. They also must allow workers to return to their old job, or an equivalent one, unless the position is eliminated as part of a broader set of layoffs.

There are no firm numbers on how many Americans have taken FMLA leave during the past five years, but the total is in the tens of millions.

The Commission on Leave, a group set up by Congress to study the law, estimated that about 20 million people, or 17 percent of the workforce, took FMLA leaves during an 18-month period in 1994 and 1995.

Most of those people — 60 percent — used the time to handle their own health problems.

Another 21 percent took time off to care for a new or seriously ill child, while 9 percent took time off to care for an ill parent.

Amy Calhoun, a supervisor at a Bay Area mortgage company, used an FMLA leave to fly to Utah when her father suddenly suffered a brain aneurysm while driving from Indiana to California. She spent three months there, visiting him in the hospital and helping her mother settle into temporary living quarters in Utah.

"A new law has never directly affected me so much (as the FMLA)," said Calhoun, a resident of Forestville. "I am eternally grateful for this law."

Meanwhile, San Francisco resident Velma Parness used an FMLA leave to care for her husband when he was dying of leukemia. The time off gave Parness and her husband a chance to talk and reminisce. Her presence also allowed him to spend his last months at home rather than



BY LIZ HAFALIA/THE CHRONICLE

Scott Jones took time off so his daughter, Mallory, wouldn't have to be in day care.

in a hospital.

"Without a leave, I would have had to quit my job and lose my health benefits and retirement," said Parness, a continuing-education specialist for the University of California at Berkeley. "The fact I could stay home with him and not worry about my job or insurance meant so much for us."

The Commission on Leave found that women use family leave much more than men: Women made up 46 percent of the workforce but took 58 percent of the leaves in the commission's study.

But the FMLA also has proven particularly helpful for one small group of men — new fathers who want to stay home for a while with their babies.

Very few companies offered any formal paternity leave before the FMLA. Now, all employers covered by the law must offer 12 weeks of parental leave to men as well as women.

"There was a strong message that came across with this law, that this is for women

and men," said Judy David Bloomfield, director of One Small Step, a coalition of Bay Area employers interested in work/family issues.

Scott Jones, an account executive at Federal Express in Burlingame, is one local beneficiary of the law.

Jones currently is taking 12 weeks off to care for his baby daughter, Mallory. He took his leave right after his wife finished hers so that Mallory wouldn't have to be in day care until she was six months old.

"This time with Mallory is invaluable," Jones said. "I love it. And I never would have considered it, never would have asked for it, without this law."

Work/family experts say the level of FMLA use varies greatly among companies — or even among departments in the same company.

Some employers go well beyond what the law requires. Wells Fargo, for instance, offers its California employees four months of leave rather than the 12 weeks required by the FMLA.

That policy, combined with a few weeks of pregnancy disability leave, is what allowed Angela Holman to stay home with each of her two babies for five months.

On the other hand, some managers send out subtle messages that discourage workers from taking off any time at all.

"One junior-faculty male here wanted some time off to be a first-time father but was basically told that it would have a negative impact on his tenure decision," said Paula Rayman, an economist at the Radcliffe Public Policy Institute of Harvard University. "Employers can say they support family friendly policies. But if people are hearing something different from their supervisors, it doesn't matter what's on the books."

Family leave advocates say the biggest problem with the law is that it doesn't cover everyone who needs it.

Nationally, 42 percent of private-sector employees are not covered by the FMLA

because they work for firms with fewer than 50 employees. And many workers who are covered cannot afford to take as much leave as they need because the time off usually is unpaid.

"It isn't fair because some families are in a much better position to save up for leaves than others are," said Donna Lenthoff of the National Partnership for Women & Families, which led the drive to pass the FMLA.

Employers, meanwhile, say the FMLA is unnecessarily hard to administer.

They say it's tough to figure out how the FMLA intersects with other laws involving time off from work — such as state family leave laws, pregnancy disability laws, workers' compensation laws and the federal Americans with Disabilities Act.

"The ones for whom it's a burden are smaller employers who are just big

*"This was not intended to cover short-term conditions, but there have been instances where people have claimed FMLA coverage for ingrown toenails."*

— DEANNA GELAK, a lobbyist with Society for Human Resource Management.

enough to qualify for FMLA coverage but don't have the staffing to track these things," said Conley Baker, a human resources consultant with The Employers Group in San Francisco.

Employers also complain that the federal government has defined "serious health condition" too broadly, creating room for workers to abuse the law.

The Department of Labor says workers qualify for FMLA leave not just if they're hospitalized, but if they're incapacitated by a chronic condition like asthma or if they miss more than three days of work for an illness that has caused them to see a doctor.

"Someone can have a headache, go to the doctor three times and have that covered by the FMLA," said Estella Castillo, a human resources assistant at Mother's Cookies in Oakland.

"This was not intended to cover short-term conditions, but there have been instances where people have claimed FMLA coverage for ingrown toenails," said Deanna Gelak, a lobbyist with the Society for Human Resource Management.

Both backers and critics of the FMLA are pursuing their agendas in Congress and state legislatures.

Supporters are pushing bills that would extend the FMLA to smaller workplaces, apply it to other family crises, such

as domestic violence, or provide some kind of pay for people on leave. Critics are seeking legislation that, among other things, would tighten up the definition of "serious health condition."

But Congress isn't anywhere close to voting on either set of bills this session. And the outlook for FMLA expansion or reform next year will depend on the outcome of this fall's Congressional races.

What is clear now is that, five years after the FMLA took effect, family leave is here to stay.

"Just having the law has made a difference in people's consciousness, both among employees and employers," said Rayman of the Radcliffe Public Policy Institute.

"The general public is vastly supportive of this law, which has allowed them to spend time with their children and dying mothers," said Chris Owens, editor of "The Family Medical Leave Handbook." "Employers are griping because they're dealing with the nuts and bolts of it all. But employees are in favor of expanding the law."

## FAMILY & MEDICAL LEAVE ACT RESOURCES

Want more information on how the Family & Medical Leave Act applies to you? Here are some resources:

### FOR EMPLOYEES

**National Partnership for Women & Families.** Nonprofit group that lobbied to pass the FMLA and is now pushing to expand it to cover more people. They offer brochures in English and Spanish on the FMLA. See their Web site at [www.nationalpartnership.org](http://www.nationalpartnership.org), or call (202) 986-2600.

**Employment Law Center.** This San Francisco group, a project of the Legal Aid Society, offers free legal advice on FMLA issues at (800) 880-8047.

**Equal Rights Advocates.** San Francisco group that offers free legal advice in English and Spanish. Their main focus is sex discrimination, but they also cover questions about the FMLA at (800) 839-4372.

**Labor Project for Working Families.** Nonprofit group based in Berkeley that helps labor unions add family related benefits, such as leave programs, to their contracts. Call (510) 643-6814.

### FOR EMPLOYERS

**One Small Step.** Bay Area employer association that encourages the development of work/family benefit programs. It has a 77-page booklet titled "The Nuts and Bolts of FMLA, CFRA & PDL" that addresses employers' questions about family and pregnancy leave. It costs \$45 and can be ordered from (415) 772-4315.

**Disability Leave & Absence Reporter.** A 12-page monthly newsletter geared toward human resource professionals. It covers FMLA, the Americans with Disabilities Act and other leave-related laws. Published by the Bureau of Business Practice in Waterford, Conn., it costs \$315 a year. Call (800) 243-0876.

**The Family Medical Leave Handbook.** A how-to guide for drafting company FMLA policies. Published by Thompson Publishing Group, it costs \$298 and includes a monthly newsletter. Call (800) 677-3789, or see [www.thompson.com](http://www.thompson.com).

**Society for Human Resource Management.** National group that offers its members information on the FMLA and other personnel issues. Call (703) 548-3440, or see [www.shrm.org](http://www.shrm.org). Its Bay Area chapter, the Northern California Human Resources Association, offers occasional workshops on the FMLA. Call (415) 291-1992.

## GENERAL INTEREST

**Department of Labor.** The actual text of the FMLA is available from the Department of Labor at [www.dol.gov/dol/esa/public/regs/statutes/wdwh/fmla.htm](http://www.dol.gov/dol/esa/public/regs/statutes/wdwh/fmla.htm). The regulations on how to implement the FMLA can be found at

[www.dol.gov/dol/esa/public/regs/compliance/wdwh/1421.htm](http://www.dol.gov/dol/esa/public/regs/compliance/wdwh/1421.htm). The Labor Department also offers a useful interactive computer program to answer FMLA questions at [www.dol.gov/elsa/fmla.htm](http://www.dol.gov/elsa/fmla.htm). Or call the local Labor Department office at (415) 744-5590 or (800) 959-3652.

**Department of Fair Employment & Housing.** State agency that offers question-and-answer brochures on the California Family Rights Act and on pregnancy disability leave. Call (800) 884-1684 for more information.

**Commission on Leave.** Congress set up a commission to study the impact of FMLA. The commission issued a 1996 report titled "A Workable Balance" that is available online at [www.ilr.cornell.edu/lib/bookshelf/e\\_archive/FamilyMedical/](http://www.ilr.cornell.edu/lib/bookshelf/e_archive/FamilyMedical/).



BY LEA SUZUKI/THE CHRONICLE

Velma Parness used an FMLA leave to care for her husband while he was dying of leukemia.

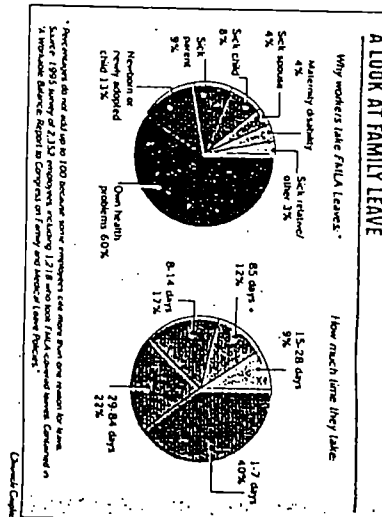
## CALIFORNIA LEAVE LAWS

California employers must comply with three different laws that cover family or pregnancy leave. Here's what each says and how they differ:

|                                                               | Family & Medical Leave Act (U.S.)                                                                                                                                                                                                 | California Family Rights Act (Calif.)                                                                                                                                                                       | Pregnancy Disability Leave (Calif.)                                                                                                                                                                              |
|---------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Which employers are covered?                                  | Private companies that employed 50 or more workers for at least 20 weeks of the current or preceding year. Government agencies regardless of number of employees.                                                                 | Private companies with 50 or more workers. State and local government agencies, regardless of number of employees.                                                                                          | Employers with five or more workers, except for nonprofit religious groups.                                                                                                                                      |
| Which workers are covered?                                    | Employees who have worked for a covered employer for 12 months and worked at least 1,250 hours in the 12 months before their leave. Their company must also employ at least 50 people within a 75-mile radius of their work site. | Same as FMLA.                                                                                                                                                                                               | Any employee, full or part time.                                                                                                                                                                                 |
| How much time off is provided for?                            | Up to 12 weeks of leave in a 12-month period. Can be taken at one time or in intermittent segments.                                                                                                                               | Same as FMLA.                                                                                                                                                                                               | Up to four months.                                                                                                                                                                                               |
| What justifies a leave?                                       | Serious health condition of the employee, including pregnancy disability; care of a parent, spouse or child with a serious health condition; birth of a child or placement of a child for adoption or foster care.                | Same as FMLA, except state CFRA leave cannot be used for a pregnancy disability leave.                                                                                                                      | Disability related to pregnancy, childbirth, or related medical conditions.                                                                                                                                      |
| What happens to an employee's health benefits while on leave? | Employer must continue health coverage under the same terms as if the employee were working, for up to 12 weeks.                                                                                                                  | Same as FMLA.                                                                                                                                                                                               | Employer is not obligated to continue health coverage. However, to the extent that pregnancy disability leave coincides with FMLA leave, the employer must continue health coverage under the provision of FMLA. |
| Is the employee entitled to his or her old job back?          | Same or equivalent job, with equivalent pay. However, some high-level employees (the highest-paid 10 percent) may not be entitled to reinstatement if it would financially hurt the company.                                      | Same or comparable job, with same exception as FMLA for high-level employees.                                                                                                                               | Same job. However, employer can provide a comparable job if reinstating a worker to her previous job would substantially harm the business.                                                                      |
| Can the leave be added on to these other forms of leave?      | No. Time off under CFRA or PDL is counted toward an employee's 12-week FMLA limit. So if an employee has already spent four months on pregnancy disability leave, she is not entitled to 12 more weeks under FMLA.                | Can be added to pregnancy disability leave. So an employee could get four months off for pregnancy disability, and then another 12 weeks of family leave to bond with her baby or care for an ill relative. | Can be added to CFRA. So an employee could get four months off for pregnancy disability, and then another 12 weeks of family leave to bond with her baby or care for an ill relative.                            |

Source: "The Nuts and Bolts of FMLA, CFRA & PDL," by One Small Step, San Francisco.

## A LOOK AT FAMILY LEAVE



# Workstation

The Orlando Sentinel

## What does it take to be a police or fire dispatcher?

**Question:** Orlando's fire and police departments are advertising they need dispatchers. What's the difference between the two jobs, and what kind of training do you need for each?

**Answer:** The jobs are similar but can differ in pace and in the kind of information handled. The jobs don't require firefighter or police officer training, and they pay about the same.

Let's start with the basics. Dispatchers — or emergency communications specialists — answer incoming 911 phone calls and send rescue workers out to help. Their shifts cover 24 hours a day every day of the year.

### On the job

DIANE  
SEARS  
CAMPBELL

In Orlando, the Police Department has three kinds of employees who might be considered dispatchers: call takers, who answer all the city's 911 calls and forward them to either law enforcement or fire and rescue; dispatchers, who choose which squad cars to assign to which emergency; and computer operators, who post and research nationwide data on issues such as missing persons and stolen vehicles.

Orlando trains its emergency communications specialists to do all three jobs, said Taunya Harris, the communications coordinator.

At the Fire Department, dispatchers receive all medical and fire emergency calls from the police call takers and send out rescue vehicles for each one, said communications manager Laura Miholics.

In a medical emergency, such as a heart attack, the dispatcher stays on the phone and gives the 911 caller detailed instructions to make the patient comfortable while the ambulance is on its way.

Police dispatchers work with a larger number of calls per shift — as many as 200 — and handle several situations at a time. Fire dispatchers answer fewer calls but spend more time on each one.

Both police and fire dispatchers require the same type of skills and training.

Orlando requires applicants to have good customer service skills, type at least 25 words per minute, and pass a communication skills test. Applicants must have good listening, memory and reasoning skills, and fluency in languages other than English is a plus. The pay range for both jobs is \$9.80 an hour to \$17.31 an hour.

## Back-to-nature motivation

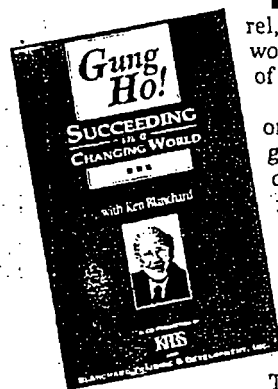
Workers and managers looking for motivation might want to try going back to nature.

In a TV show that will air this week on WMFE-Channel 24 (PBS), management expert Ken Blanchard offers three motivational theories based on Native American imagery:

- The spirit of the squirrel, or worthwhile work. Each worker must know the value of the project.

- The way of the beaver, or control of achieving the goal. Instead of taking charge, a good leader makes sure each worker is equipped to do the job.

- The gift of the goose, or cheering each other on. Positive reinforcement is the best inspiration.



The hourlong program by the author of *The One Minute Manager* is based on a book he co-wrote with Sheldon Bowles, *Gung Ho! Succeeding in a Changing World* (William Morrow & Co., \$20). It airs at 5 p.m. Saturday, 5 p.m. Monday and 6 p.m. Aug. 23.

## Level the playing field

Women, do you want to know how to bond with those men you know at work? Here's the secret: Read the sports pages.

That advice comes from Sandra Beckwith of New York, author of *Why Can't a Man Be More Like a Woman?*

Co-workers should find common interests, Beckwith said. So in Central Florida, it wouldn't hurt for a woman to toss out phrases like "How 'bout them Gators!" or "Go Magic!"

## Desktop data

- Men and women must be doing something right to bridge the gender gap. In a study out of Chicago, 63 percent of the women surveyed said they communicate equally well with both genders at work; 25 percent have more trouble communicating with women and 12 percent with men.

In the same study, performed by business training and information publisher Dartnell Corp., 53 percent of the women surveyed said they don't mind working for either gender. Thirty-seven percent said they prefer working for a man, while 10 percent prefer a woman boss.

- Today is the fifth anniversary of the day the federal Family and Medical Leave Act took effect. The law allows workers at companies with at least 50 employees to take up to 12 weeks of unpaid leave to recover from a serious illness or care for a family member. Since 1993, the law has helped an estimated 20 million Americans.

Workplace reporter Diane Sears Campbell writes on employment issues each Wednesday in *Living*. She also does a "Career Makeover" each Sunday in *Business*. She welcomes your questions and suggestions. Mail: The Orlando Sentinel, MP-6, P.O. Box 2833, Orlando, 32802-2833. Phone: (407) 420-5369. E-Mail: Dcampbell@OrlandoSentinel.com

## Some calling for expansion of leave act

By Cathleen Ferraro  
Bee Staff Writer

Working Americans never should have to choose between the job they need and the family they love. That was the Clinton administration's message Wednesday as it trumpeted the fifth anniversary of the Family and Medical Leave Act — a sweeping federal law

allowing workers to take up to 12 weeks of unpaid, job-protected leave.

But since the Aug. 5, 1993, launch of the FMLA — meant to help people manage work while dealing with everything from giving birth to treating a mental illness caused by allergies —

some say it should be expanded.

"We know the law has served as a catalyst, a framework enabling some companies to expand on it (in their own way)," said U.S. Labor Secretary Alexis M. Herman in a conference call Wednesday.

Herman also said helping American workers balance work and family, partly



Alexis M. Herman

Please see FAMILY, page F2

## Family: Changes in law being pushed

Continued from page F1  
through amendments to the ground-breaking law, is a top priority.

Over the past year, work-family advocates have pushed for FMLA's evolution during the next five years to embrace people and circumstances now left out of the law.

That might mean three months unpaid leave for gay employees to care for a seriously ill domestic partner; time for a battered woman to obtain a temporary restraining order, testify in court, take herself or her children to counseling, without losing her job; inclusion of businesses that employ up to 25 workers, accounting for a significant segment of the nation's labor force; or relief for working parents unable to squeeze in routine medical appointments for their kids or parent-teacher conferences.

Other proposals include covering part-time workers, requiring employers to pay employees during their leave or expanding states' existing unemployment or disability insurance.

Some ideas are supported in legislation moving through Congress, though observers say the Republican-controlled Congress is likely to oppose most of them. Still, Donna R. Lenhoff, the Washington, D.C., lawyer who drafted the original version of the law in 1984, was optimistic.

"Two ideas — dropping a company's employee threshold to 25 instead of the current 50 and allowing parents (limited) time off to deal with their kids — have the most support in the current political climate," said Lenhoff, general counsel at the National Partnership for Women & Families.

Earlier this year, President Clinton endorsed amending the FMLA to give parents 24 hours off a year, without dipping into their vacation or sick time, to attend kids' school functions or nonemergency medical appointments.

In its current form, roughly two-thirds of the nation's private and public employees are covered by the FMLA, with up to 20 million workers taking part since its inception five years ago.

If the law is expanded to include smaller employers, another 13 million workers could be covered nationwide — more than a million in California — studies show.

"The past five years have produced ample evidence that this law worked," Herman said. "Employees whose family commitments are honored are more loyal and productive workers. The FMLA has also enabled American businesses to compete more effectively in the global economy."

A 1996 report by a bipartisan commission on the effect of the law shows that the median length of leave was 10 days, with mothers 25-34 years old with an annual income of \$20,000-\$30,000 the most likely users.

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Family Leave a Success / In 5 years, act has aided 20M, with few gripes

By Patricia Kitchen. STAFF WRITER

Jennifer Affrunti, 32, of Wantagh, is grateful for the Family and Medical Leave Act. In effect for five years as of yesterday, the act allowed her to tack seven unpaid weeks on to an eight-week paid maternity leave from her job as an accountant with Marks Shron and Co. in Great Neck.

That extra time, she says, gave her the chance to really bond with her new daughter, Lauren, born in October. "The first eight weeks they sleep and cry and eat. Afterwards their personalities start to emerge. I got to see things firsthand [her first smile], instead of hearing it from someone else," she said.

Affrunti, who has since gone back to work part-time, is one of an estimated 20 million people who have benefited from the act, which allows up to 12 weeks of unpaid leave a year for care of a seriously ill family member, the birth or adoption of a child or a worker's own serious health problems. The law applies in organizations of 50 or more employees.

So far, the law has been low in cost and easy for employers to administer - even for small businesses, U.S. Labor Secretary Alexis Herman said yesterday on a conference call with reporters, though some small-business owners take exception. Employers also benefit, she said, because "it's the happy worker who is making a greater investment and who gives you a good return as a business owner."

Still, questions on the act abound. "It prompts well over 100 inquiries a week," says Irv Miljoner, director of the Long Island District Office of the U.S. Department of Labor's Wage and Hour Division, which enforces the act. Who calls? Mostly pregnant women, he says. "I probably hear from more pregnant women than any single gynecologist on Long Island."

The most common question? "Am I covered by the act," says Miljoner. The answer is "yes" if an employee has worked at least 1,250 hours in the year preceding the leave, and has worked for the employer a total of 12 months, not necessarily consecutively.

His office has resolved 40 to 60 complaints a year. The most common violations, he says, involve an employer's failure to notify employees of their rights under the act, refusing to grant time off or firing an employee for taking the time. But in a significant number of complaints, he says, the employer is complying and the employee didn't understand the extent of entitlements. That's why his office does educational outreach to both companies and employees.

Still, some managers say the act is burdensome. No employee has taken advantage of the full 12 weeks' leave, said Manny Martinez, vice president of Kings Park-based Utopia Home Care, which has 500 employees in New York, Connecticut and Florida. But he says that replacing people even for shorter periods can be a problem in this economy: "They're not answering the [help wanted] ads the way they used to."

What about the move to expand the act to cover smaller companies, those with 25 or more employees, which would extend the act's benefits to an additional 13 million people?

"Lowering it to 25 definitely puts unnecessary burdens on a small business, especially if it [the leave] involves key personnel," says Dennis Sneden, chief executive of the Huntington Chamber of Commerce.

How would an owner come up with, say, a 12-week-replacement controller who would know the integral operations of the company, he asks. Instead of legislation, he would rather see the issue negotiated.

That expansion, endorsed by President Bill Clinton, is now before both houses of Congress. The bill also would provide for up to 24 additional hours of unpaid leave a year for children's educational activities, such as a parent-teacher conference; routine family medical needs; or the health and other professional needs of elderly relatives.

"We accommodate employees regardless of the law on the books," says Susan Winters, executive vice president and a principal of Bulbtronics, a specialty light bulb distributor in Farmingdale with 75 employees. She says she can count on one hand the number of employees who have used the act.

She admits that it's difficult to think of replacing key people if they were to be away for 12 weeks, but, she says, "As an employer and as an entrepreneur, you have to plan back-up situations anyways. Something unexpected could happen at any time."

Where to Get Information For More Information ...

Where to get more information on the federal Family and Medical Leave Act:

- Long Island District Office of the U.S. Department of Labor's Wage and Hour Division in Garden City. Phone: 516-227-3100.
- New York City District Office of the U.S. Department of Labor's Wage and Hour Division. Phone: 212-264-8185.
- "Guide to the Family and Medical Leave Act" - in English and Spanish, Publication A50. To get a copy, write to the National Partnership for Women and Families, 1875 Connecticut Ave., NW, Suite 710, Washington, D.C. 20009. Also see its Web site at [www.nationalpartnership.org](http://www.nationalpartnership.org). The guide in Spanish is available locally from the National Conference of Puerto Rican Women Inc., Long Island Chapter, P.O. Box 3073, Huntington Station, NY 11746. E-mail [LINaCOPRW@aol.com](mailto:LINaCOPRW@aol.com).
- U.S. Department of Labor's Wage and Hour Division. Phone: 800-959-FMLA. Interactive Web site: [www2.dol.gov/elaws/](http://www2.dol.gov/elaws/)

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Family Leave a Success / In 5 years, act has aided 20M, with few gripes., 08-06-1998, pp A63.



The Boston Globe

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## Editorials | Opinions

### Family Leave Act, five years later

By Ann Bookman, 08/03/98

#### COLUMNS

Ellen Goodman  
Derrick Z. Jackson  
Jeff Jacoby  
Robert Jordan  
Martin F. Nolan  
David Nyhan  
Thomas Oliphant  
Jack Thomas

#### YOUR VIEWS

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COLUMNS

**T**his week marks the fifth anniversary of the Family and Medical Leave Act, the groundbreaking law that enables workers at companies with at least 50 employees in order to take 12 weeks of job-protected, unpaid leave to care for a newborn baby, newly adopted child, care for an ill family member, or recover from a serious illness.

What has this act accomplished for working families in its first five years? A good deal, but not enough.

The story of Marie is a case in point. A second-generation American whose parents worked at manual jobs, she has a 9-to-5 office job she loves at a biotechnology company. She has a high school diploma, but takes community college courses whenever she can.

As a working mother with two young children, Marie finds it hard to work, be a parent, and attend school. In fact, she has had to put her career development on hold to struggle with pressing questions: Is her daughter's day care meeting her social and developmental needs? Did she stay home long enough with her son?

The Family Leave Act enabled Marie to stay home for three months after her second child was born. Her employer paid her for two of those months. She wanted to take more time, but one month without pay was all her family could afford.

Marie was lucky to work for a company whose policies go beyond the federal law and provide some wage replacement. She was unlucky because her husband is not covered by the act and had no time off with his new son. And because she worries about taking any more time off now, Marie recently refused an invitation to accompany her daughter's day-care class on a field trip.

When it was time for Marie to return to work, she discovered that child care for two children was prohibitive. "It would cost me as much as I make, my whole paycheck," she said. "If I didn't have my mother and mother-in-law to leave the baby with, I would have had to quit my job."

Marie's situation is typical of young families who hold jobs, have families, and want to upgrade their skills and education. Yet the policies that shape their options around parental leave and infant child care undermine their plans for a future of economic security. Many young families are forced to deplete their savings to fund unpaid leaves and cover costly child-care expenses. Some even quit their jobs when

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the math of working and child care does not add up.

The Family Medical Leave Act has helped more than 15 million working Americans. And it is not the burden to business that many feared. A 1996 report to Congress, issued by a bipartisan commission, found that more than 90 percent of employers said most aspects of the law were "very easy" or "somewhat easy" to administer, more than 89 percent found they incurred "no cost" or "small costs," and more than 86 percent reported "no noticeable effect" on productivity, profitability, and growth.

The act's anniversary is a good time to celebrate its accomplishments and to set goals for the future. Goals such as:

- It should be a universal law. It now covers only 55 percent of the work force. The other 45 percent who work for small businesses, including young fathers like Marie's husband need job-protected leaves, too.
- It should expand the reasons workers can take leaves. Specifically, it should cover parents, like Marie, who want to be involved in their children's education no matter what the child's age.
- It should provide for some wage replacement. While the mechanism for funding these leaves requires further study, we must find a way to financially support leaves for families who are raising our next generation of workers and caring for our retirees.

Finally, we should not expand the reach and scope of the law in a vacuum. We need to link it to public policies that affect the lives of young children - particularly child care for infants and toddlers. Unpaid parental leaves and the lack of quality infant care put parents in untenable positions.

We need to make staying home with an infant both more accessible and financially viable, and make infant day care more available and affordable to support the healthy development of children and the economic security of families.

*Ann Bookman was executive director of the Commission on Family and Medical Leave in 1995-96. She is on the faculty at the College of the Holy Cross.*

This story ran on page A11 of the Boston Globe on 08/03/98.  
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Amplification events - Congress

## PROPOSED FMLA 5TH ANNIVERSARY EVENT

Free -  
paternity  
leave  
small businesses

### 1. Purpose

To focus public attention on the FMLA and the need for its expansion.

### 2. Timing

The last week of July or the first week of August 1998 (to capitalize on the 5th anniversary date of the FMLA going into effect on August 5, 1993 and to draw attention to work and family issues for the November 1998 elections).

### 3. Message

a. The struggle to meet both work and family responsibilities is a top concern for American women and men. The FMLA has already helped millions of Americans in their efforts to meet these responsibilities. (People who have had these experiences will tell their stories). Employers and employees are happy with the law, and the benefits of the FMLA outweigh the costs. (New data on the costs and benefits of the FMLA will be presented.)

b. But almost half of Americans cannot use the FMLA because it does not cover their mid-sized employers, and the FMLA does not provide leave for routine family needs. (People who have had these experiences will tell their stories).

c. Work and family issues such as FMLA expansion should be matters in which government can help. *That's why the President supports legislation to ensure that more Americans would be able to take job-protected leave in such times of family and medical emergencies, and calls on business, the coalition of advocates, and Congress to help make that happen.*

### 4. Potential Speakers

- President Clinton
- Vice-President Gore
- Secretary of Labor Herman
- Congressional sponsors of FMLA expansion legislation
- Judith Lichtman, President, National Partnership for Women & Families
- Ellen Galinsky, President, Families & Work Institute
- Individuals and businesses with FMLA stories

### 5. Audience

Members of the FMLA coalition, including the U.S. Catholic Conference, women's advocates, health care advocates, seniors' groups (e.g., AARP), children's advocates, unions, disability groups, and education advocates (e.g., NEA, AAUW, PTA).

### 6. Components of Event

a. Release of new survey data on FMLA costs, benefits, and usage. The Families & Work Institute's new survey of employers on work and family issues contains new findings that almost 75% of employers surveyed found that the benefits of family leave policies outweighed the costs, or that the programs were cost-neutral. At the event, Ellen Galinsky, President of the Families & Work Institute, would announce these new data.

b. Highlight research showing public support for FMLA expansion. "Family Matters," 1998 survey conducted for the National Partnership for Women & Families shows that Americans support expansion of the FMLA by overwhelming majorities. This support crosses both political and demographic boundaries: Republicans and Democrats, working women and homemakers, baby boomers and seniors, and people who are white, black and Hispanic all support FMLA expansion and agree that employers and government should be doing more to help working families. At the event, Judith Lichtman, President of the National Partnership for Women & Families, would present this research.

c. Presentation of FMLA "stories." Individuals and businesses who have had experiences that support expanding the FMLA would tell their stories. For example:

- Flora Green and Jo Gillman, owners of "Foliage by Flora," a commercial landscaping and maintenance business with approximately 40-45 employees near Miami, Florida, who adopted a policy that is similar to the FMLA, have found it to be a "win-win" situation for the company and the employees and support FMLA expansion to cover mid-sized companies.
- Melrose Nathan, a vice-president with Adams National Bank, who was able to spend time with her dying husband and help her children cope with his loss because of her employer's generous family leave policy – even though at the time her employer had fewer than 50 employees and was not covered by the FMLA – supports expanding the FMLA so people at other mid-sized businesses can benefit from leave, as she did.

In addition, people who were unable to use the FMLA because they work for employers with fewer than 50 employees could also tell about their need for leave.

d. Announcement of expansion efforts. The President voiced his support for FMLA expansion in his January 1998 State of the Union address, but has not since had the opportunity to discuss the issue of family leave. At this event, the President and the Vice-President, supported by Secretary Herman, appropriate Senators and Representatives, and Judith Lichtman (President of the National Partnership for Women & Families and Chair of the FMLA coalition) could highlight the new endorsement of the Administration's strong support of FMLA expansion legislation, including dropping the threshold to cover mid-sized businesses, and call on the audience of FMLA coalition members to help.

**For more information contact: Donna Lenhoff**  
**National Partnership for Women & Families**  
**202-986-2600**

# EXPANDING THE FAMILY AND MEDICAL LEAVE ACT TO HELP FAMILIES BALANCE WORK AND FAMILY RESPONSIBILITIES

January 27, 1998

*In the new economy, most parents work harder than ever. They face a constant struggle to balance their obligations to be good workers -- and their even more important obligations to be good parents. The Family and Medical Leave Act was the very first bill I was privileged to sign into law as President in 1993. Since then, about 15 million people have taken advantage of it, and I've met a lot of them all across this country. I ask you to extend that law to cover 10 million more workers, and to give parents time off when they have to go see their children's teachers or take them to the doctor.*

--President Bill Clinton  
State of the Union Address, 1/27/98

In his State of the Union Address, President Clinton called on Congress to extend the benefits of the Family and Medical Leave Act -- the first piece of legislation that the President signed into law -- to ten million more American workers.

**BIPARTISAN REPORT SHOWS THE LAW IS WORKING.** Since the Family and Medical Leave Act was enacted in 1993, at least fifteen million Americans have taken FMLA-covered leave. Today, workers are eligible for FMLA-protected leave if they work at a business with 50 or more employees and if they have worked at least twelve months and 1,250 hours for the employer. FMLA allows eligible employees to take up to 12 weeks unpaid, job-protected leave to care for a newborn or adopted child, to attend to their own serious health needs, or to care for a seriously ill parent, child or spouse. The bipartisan Commission on Leave -- chaired by Senators Craig and Dodd -- reported that the law is working:

- **67 million Americans -- over half of all workers -- are guaranteed they can take leave** from their job to care for a sick relative or a newborn child without fear of losing their job or health insurance.
- **Millions of Americans have taken leave since the enactment of FMLA.** During the 18-month period covered by the Commission's study (1/94 - 6/95), an estimated 12 million Americans took leave for FMLA-covered purposes.
- **40% of all workers think they will need to take leave** for a covered reason at some time in the next five years.
- **Despite its opponents' claims, compliance is easy and costs are low for most employers now covered by the law:**
  - **Nine out of ten employers find the law "very" or "somewhat" easy to administer.**
  - **Compliance entails either little or no costs for 89%-99% of businesses.**
  - **Smaller covered worksites found it easier to comply than larger sites.**
- **Some businesses have reported reduced employee turnover, enhanced productivity and improved morale** which they attribute to the Act.

**NOW IS THE TIME TO EXPAND THE LAW TO COVER MORE WORKERS AND BETTER HELP WORKERS CARE FOR THEIR CHILDREN AND PARENTS.** The President believes that it is time to expand the benefits of the law. He is urging the Congress to:

- **Enable workers at businesses with 25 or more workers to take unpaid, job-protected leave** - current law covers businesses of 50 or more employees. Lowering the employer coverage threshold from 50 to 25 workers will mean that FMLA will cover up to ten million more American workers, allowing them to take up to twelve weeks unpaid, job-protected leave to care for a newborn or adopted child, to attend to their own serious health needs, or to care for a seriously ill parent, child or spouse.
- **Allow FMLA-eligible workers to take up to 24 hours of additional leave each year to meet specified family obligations**, including routine doctors appointments and parent-teacher conferences. Leave could be taken to: (1) participate in school activities, such as parent-teacher conferences; (2) accompany your child to routine dental or medical appointments; and (3)

THE WHITE HOUSE

WASHINGTON

January 23, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED  
GENE SPERLING

SUBJECT: Family and Medical Leave Expansions

This memorandum presents options to expand the Family and Medical Leave Act (FMLA) for your consideration before a possible announcement on this issue in your State of the Union Address. Expanding FMLA would further enable American workers to take protected time off to spend with a new or adopted child, or for medical emergencies. It would build on your strong record of helping parents meet their responsibilities to their families and their jobs, and, specifically, would complement two pieces of your current child care proposal that also help parents who wish to stay at home: (1) support for home visitation and other parent education programs in your Early Learning Fund, and (2) demonstration projects to test policies to help parents stay at home.

As you know, your advisors initially believed that a proposal to expand FMLA could help inoculate your child care initiative against conservative attack by allowing parents to spend more time with their children. Your recent child care announcement has generated overwhelmingly positive support; several leading Republicans, however, have been working on alternative proposals aimed entirely at helping parents to stay at home with their children. While an announcement on FMLA expansion would be an important marker in this area, given the nature of the proposals under active Republican consideration -- such as income splitting, income averaging, and expansion of the \$500 per-child tax credit -- it is unlikely that any proposal to expand FMLA could stand up fully to these costly options. We therefore will continue our work with the Treasury Department to explore possible tax-related measures to support stay-at-home parents, in addition to any expansion of FMLA.

FMLA currently requires employers with 50 or more employees to provide up to 12 weeks of unpaid leave to eligible employees for certain family and medical reasons, including the care of a new child. Employees are eligible if they have worked for the employer for at least 12 months and for at least 1,250 hours over the previous 12 months, and if the employer has at least 50 employees working within 75 miles of the employee's worksite. Public agencies are covered by FMLA regardless of size, but employees must still meet the eligibility requirements, including working at a site where at least 50 employees are employed within 75 miles.

Options to expand FMLA include: (1) applying FMLA to businesses with 25 or more employees, either in one step or incrementally; or (2) extending the permissible leave period to 24 weeks for parents with newborns. Over the last few weeks, we have worked to determine the costs to businesses and the benefits to workers of pursuing either or both of these options. Unfortunately, we have found that useful data in this area does not exist. It is impossible to determine, for example, how many people currently taking leave to care for a newborn or adopted child would take additional leave or how additional leave would benefit people of particular income levels. Similarly, it is impossible to quantify the likely costs to small businesses.

**Option 1: Expanding Coverage to Businesses with Fewer Employees.** You could call for lowering FMLA's employer coverage threshold from 50 to 25, either in one step or incrementally (for example by lowering it to 40, then 35, and finally 25). Senators Kennedy and Dodd have proposed to lower the threshold to 10 employees, but your advisors believe that FMLA would be too great a burden on employers of that size.

According to the Department of Labor, 67 million employees are currently eligible for FMLA. Lowering the threshold to 40 would add 3.4 million people; lowering it to 35 would add 5.4 million people. Lowering the threshold all the way to 25 would add about 10 million people, increasing by 15 percent the number of employees covered by FMLA, and doubling the number of employers covered by the Act (from 330,000 to 690,000).

This proposal would give FMLA protection to more people at no cost to the federal government. It would receive strong support from labor, women's groups, and other core Democratic constituencies. The proposal, however, would provoke strong business opposition. Many Republican and some Democratic Members of Congress would likely criticize any attempt to lower the threshold as detrimental to small business. (According to a survey by the Family and Medical Leave Commission, however, the great majority of businesses that have implemented FMLA report little or no cost increases.)

### **Extending FMLA Leave from Three to Six Months**

Below are three variations on this theme. The first is the most inclusive. The second limits the workers eligible to the full six months to those with two full years of job tenure with their current employer. The third limits the extent of the new benefit *and* makes it available only to new parents.

**Option 2A: Extending FMLA from Three to Six Months.** This option would allow workers who are currently eligible for FMLA to take longer leave. Approximately 12 million workers take FMLA leave. According to the FMLA Commission's survey, about 12.5 percent or 1.5 million workers take the full 12 week leave. Of these, 450,000 workers took 12 or more weeks leave for maternity, disability, or the care of a newborn, adopted or foster child.

This proposal would give parents additional time to spend with their new babies (again at no cost to the federal government). It might help respond to the charge that our child care proposal helps only working parents, not those who -- with a little help -- can and want to stay home with their children for a period of time. However, any family leave policy would not fully respond to that criticism because leave is by definition geared toward people who have been in the workforce and will return to it. In addition, this proposal would not help workers who currently cannot afford to take even the full 12 weeks of FMLA leave. According to the Commission's survey, 65 percent of those who would have liked to take leave to care for their newborn, foster, or adopted child could not do so for economic reasons. Because this proposal would not help such workers, FMLA advocates would likely give it only lukewarm support. Finally, businesses already covered by FMLA would oppose the extension because guaranteeing six months of leave would disrupt their operations.

**Option 2B: Extend FMLA from Three to Six Months for Workers with Two Years Tenure.** Although there is no data available, your advisors generally feel that extending FMLA to six months is a non-trivial burden on business. While businesses can arrange for other employees or temporary help to cover a co-workers' *three* month absence, a *six* month absence is harder to manage. Employers may have to hire replacement workers, thus increasing their costs significantly. Moreover, employers faced with the possibility of having to offer six months of job-protected leave to workers with only one year's tenure may be less likely to hire employees they suspect will take this leave. This option is intended to mitigate these problems by limiting eligibility for the extended leave to employees with two years of tenure.

**Option 2C: Allow New Parents Up to 24 Weeks Leave in a Two Year Period.** To eliminate the possibility that an employee could work only six months *each year* by taking six months of job protected leave annually, this proposal would instead allow new parents only to take six months of job protected leave *every two years*. Under this option, by taking the full six months to care for a newborn, the employee would forego any right to paid leave in the following year. Current law allows six months every two years, but restricts it to two three month periods. This proposal simply gives employees additional flexibility in taking their leave while adding only minimally to the business burden.

**Recommendations:** Your advisors agree that lowering the employee threshold will provoke significant opposition, but some of your advisors, including the First Lady, believe that it is a fight worth having. The First Lady believes strongly that lowering the threshold to 25 will make a real difference in people's lives, covering about 10 million more American workers with this significant benefit. She believes that, politically, it is an important thing to be for.

Some of your advisors feel that a decision about lowering the threshold must be made in the context of the impact of your overall agenda on the business community. Secretary Herman, for instance, believes that if you decide to call for an increase in the minimum wage, you should not also lower the threshold. If, however, you do not propose raising the minimum wage, then she feels you could call for lowering the threshold. Administrator Alvarez opposes any changes

to current law because she feels they will engender significant business opposition and may undermine gains we have already made.

Secretary Herman supports extending the length of FMLA leave. Secretary Rubin and Janet Yellin oppose Options 2A and 2B. Secretary Rubin feels that because businesses may need to hire replacement workers to cover six month absences, the cost to business of longer leave could be greater than the cost of initial implementation of the FMLA. He is also concerned that higher income workers are more likely to benefit from longer leave, while empirical evidence would suggest that all workers will pay for this in the form of lower wages. Janet Yellin shares Secretary Rubin's concerns about Options 2A and 2B, but supports Option 2C because she feels it is a very minor change from current law. The First Lady worries that the six month leave extension will make only a marginal difference, and will disproportionately assist higher-income workers.

The NEC has concerns about six months leave, but on the whole would support Option 2B -- extending the FMLA to six months for workers with two years tenure. The NEC fears, however, that lowering the limit to 25 will cause too much opposition from Southern Democratic Senators, especially if we also propose to raise minimum wage.

The DPC recommends that you propose Option 2B -- extending the FMLA to six months for workers with two years tenure -- and if you are willing to take on a larger fight, that you propose to lower the employee threshold to 25 as well. In addition, your advisors recommend that you continue to fight for the 24-hour extension of FMLA for school visits, doctor appointments and other family responsibilities.

**1. Expand FMLA Coverage to Businesses with 25 Employees**

☐ YES ☐ NO ☐ DISCUSS

**2A. Extend FMLA Leave from Three to Six Months**

☐ YES ☐ NO ☐ DISCUSS

**2B. Extend FMLA from Three Months to Six Months for Workers With Two Years Tenure**

☐ YES ☐ NO ☐ DISCUSS

**2C. Allow New Parents Six Months Every Two Years**

☐ YES ☐ NO ☐ DISCUSS



ORSZAG\_J @ A1  
02/05/98 06:27:00 PM

Record Type: Record

To: See the distribution list at the bottom of this message

cc:

Subject: DODD, IN AN ELECTION YEAR, FACES OBSTACLES TO FAMILY LEAVE

Date: 02/05/98 Time: 17:51

FDodd, in an election year, faces obstacles to family leave

WASHINGTON (AP) On the fifth anniversary of the Family and Medical Leave Act, its chief author said more workers should be covered by the law's guarantee of unpaid time off to care for a new child or sick relative.

"This is a very popular idea," Sen. Christopher Dodd, D-Conn., said Thursday. He wants to expand the law to bring in businesses with at least 25 employees, down from the current threshold of 50. That would cover another 13 million workers.

But Dodd acknowledged that convincing his colleagues would be tough.

It took years to muster enough votes in Congress to pass the original law. It was vetoed twice by then-President George Bush, a Republican, before President Clinton signed it in a Rose Garden ceremony just two weeks after taking office.

Today, some of the bill's original opponents are still in Congress, including the Senate Republican leader, Trent Lott of Mississippi.

And there is opposition from business. John Satagaj, president of the Small Business Legislative Council, said it would be difficult for many small companies to meet the law's requirements. Requests for unusual benefits, such as lengthy time-off, are usually handled on a case-by-case basis, he said.

"We're not convinced that the problem is widespread," he said. "Employees may find out that their employer is less flexible than they were before this law was imposed."

The family leave law allows workers up to 12 weeks unpaid leave after the birth or adoption of a child, or to care for their own or a family member's serious illness. About 12 million workers took advantage of benefits offered by the law from January 1994 through June 1995, according to a commission created by Congress.

Dodd is aiming to expand the law as part of a larger initiative on child care, a White House priority. More than 40 child care bills have been introduced by Republicans and Democrats in recent months.

To mark the fifth anniversary of family leave, Dodd held a news conference with officials of the Adams National Bank, a Washington bank that started its own leave policy in 1977 as a small business. It now has more than 50 workers.

"Small businesses should not fear this," Barbara Blum, the

bank's president, said. ``It brings into the workforce people who stay with you.''

APNP-02-05-98 1801EST

Message Sent To:

---

Anne H. Lewis  
Nicole R. Rabner  
Jennifer L. Klein  
Neera Tanden  
Elena Kagan



Audrey T. Haynes

02/03/98 08:41:04 PM

Record Type: Record

To: See the distribution list at the bottom of this message  
cc: Nicole R. Rabner/WHO/EOP, Janet Murguia/WHO/EOP  
Subject: FMLA

Regarding Thurs.'s FMLA anniversary, the following events seem to be planned:

1. Women's Legal Defense Fund reported that Senator Dodd was having a press conference to celebrate the anniversary and announce more about the expansion.....(I have not confirmed with Dodd's office, however, Labor told me the same thing)

2. Carolyn Moloney is having a press conference at noon in conjunction with the Congressional Women's Caucus.....(I did not confirm, but this sounded more vague than the Dodd event )

\*\*I can call folks Wed. a.m. to get the information on these 2 events.

As of late this afternoon, it was not clear as to what Labor would do, if anything. After our discussions this morning, they were possibly going to wait and just do the POTUS event.

Regarding states with lower thresholds as possible sites, for an event outside DC, Women's Legal Defense Fund reported the following:

DC.....threshold is 20

Maine.....threshold is 25

Minn.....threshold is 21, but law is not as broad as FMLA

Oregon.....threshold is 25

Vermont.....threshold is 10 for new born and newly adopted; and 15 for others, also allows 24 hours for dental care, etc.

Clearly, Vermont is the best state with alot of small business, but it doesn't appear the POTUS is headed anywhere near there over the next couple of weeks.

Please advise.....we'd love to see this come together in the District or out!

Thanks

Message Sent To:

Elena Kagan/OPD/EOP  
Ann F. Lewis/WHO/EOP  
Anne H. Lewis/OPD/EOP  
Jonathan A. Kaplan/OPD/EOP  
Maria Echaveste/WHO/EOP

THE WHITE HOUSE

WASHINGTON

January 23, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED  
GENE SPERLING

SUBJECT: Family and Medical Leave Expansions

This memorandum presents options to expand the Family and Medical Leave Act (FMLA) for your consideration before a possible announcement on this issue in your State of the Union Address. Expanding FMLA would further enable American workers to take protected time off to spend with a new or adopted child, or for medical emergencies. It would build on your strong record of helping parents meet their responsibilities to their families and their jobs, and, specifically, would complement two pieces of your current child care proposal that also help parents who wish to stay at home: (1) support for home visitation and other parent education programs in your Early Learning Fund, and (2) demonstration projects to test policies to help parents stay at home.

As you know, your advisors initially believed that a proposal to expand FMLA could help inoculate your child care initiative against conservative attack by allowing parents to spend more time with their children. Your recent child care announcement has generated overwhelmingly positive support; several leading Republicans, however, have been working on alternative proposals aimed entirely at helping parents to stay at home with their children. While an announcement on FMLA expansion would be an important marker in this area, given the nature of the proposals under active Republican consideration -- such as income splitting, income averaging, and expansion of the \$500 per-child tax credit -- it is unlikely that any proposal to expand FMLA could stand up fully to these costly options. We therefore will continue our work with the Treasury Department to explore possible tax-related measures to support stay-at-home parents, in addition to any expansion of FMLA.

FMLA currently requires employers with 50 or more employees to provide up to 12 weeks of unpaid leave to eligible employees for certain family and medical reasons, including the care of a new child. Employees are eligible if they have worked for the employer for at least 12 months and for at least 1,250 hours over the previous 12 months, and if the employer has at least 50 employees working within 75 miles of the employee's worksite. Public agencies are covered by FMLA regardless of size, but employees must still meet the eligibility requirements, including working at a site where at least 50 employees are employed within 75 miles.

Options to expand FMLA include: (1) applying FMLA to businesses with 25 or more employees, either in one step or incrementally; or (2) extending the permissible leave period to 24 weeks for parents with newborns. Over the last few weeks, we have worked to determine the costs to businesses and the benefits to workers of pursuing either or both of these options. Unfortunately, we have found that useful data in this area does not exist. It is impossible to determine, for example, how many people currently taking leave to care for a newborn or adopted child would take additional leave or how additional leave would benefit people of particular income levels. Similarly, it is impossible to quantify the likely costs to small businesses.

**Option 1: Expanding Coverage to Businesses with Fewer Employees.** You could call for lowering FMLA's employer coverage threshold from 50 to 25, either in one step or incrementally (for example by lowering it to 40, then 35, and finally 25). Senators Kennedy and Dodd have proposed to lower the threshold to 10 employees, but your advisors believe that FMLA would be too great a burden on employers of that size.

According to the Department of Labor, 67 million employees are currently eligible for FMLA. Lowering the threshold to 40 would add 3.4 million people; lowering it to 35 would add 5.4 million people. Lowering the threshold all the way to 25 would add about 10 million people, increasing by 15 percent the number of employees covered by FMLA, and doubling the number of employers covered by the Act (from 330,000 to 690,000).

This proposal would give FMLA protection to more people at no cost to the federal government. It would receive strong support from labor, women's groups, and other core Democratic constituencies. The proposal, however, would provoke strong business opposition. Many Republican and some Democratic Members of Congress would likely criticize any attempt to lower the threshold as detrimental to small business. (According to a survey by the Family and Medical Leave Commission, however, the great majority of businesses that have implemented FMLA report little or no cost increases.)

### **Extending FMLA Leave from Three to Six Months**

Below are three variations on this theme. The first is the most inclusive. The second limits the workers eligible to the full six months to those with two full years of job tenure with their current employer. The third limits the extent of the new benefit *and* makes it available only to new parents.

**Option 2A: Extending FMLA from Three to Six Months.** This option would allow workers who are currently eligible for FMLA to take longer leave. Approximately 12 million workers take FMLA leave. According to the FMLA Commission's survey, about 12.5 percent or 1.5 million workers take the full 12 week leave. Of these, 450,000 workers took 12 or more weeks leave for maternity, disability, or the care of a newborn, adopted or foster child.

This proposal would give parents additional time to spend with their new babies (again at no cost to the federal government). It might help respond to the charge that our child care proposal helps only working parents, not those who -- with a little help -- can and want to stay home with their children for a period of time. However, any family leave policy would not fully respond to that criticism because leave is by definition geared toward people who have been in the workforce and will return to it. In addition, this proposal would not help workers who currently cannot afford to take even the full 12 weeks of FMLA leave. According to the Commission's survey, 65 percent of those who would have liked to take leave to care for their newborn, foster, or adopted child could not do so for economic reasons. Because this proposal would not help such workers, FMLA advocates would likely give it only lukewarm support. Finally, businesses already covered by FMLA would oppose the extension because guaranteeing six months of leave would disrupt their operations.

**Option 2B: Extend FMLA from Three to Six Months for Workers with Two Years Tenure.** Although there is no data available, your advisors generally feel that extending FMLA to six months is a non-trivial burden on business. While businesses can arrange for other employees or temporary help to cover a co-workers' *three* month absence, a *six* month absence is harder to manage. Employers may have to hire replacement workers, thus increasing their costs significantly. Moreover, employers faced with the possibility of having to offer six months of job-protected leave to workers with only one year's tenure may be less likely to hire employees they suspect will take this leave. This option is intended to mitigate these problems by limiting eligibility for the extended leave to employees with two years of tenure.

**Option 2C: Allow New Parents Up to 24 Weeks Leave in a Two Year Period.** To eliminate the possibility that an employee could work only six months *each year* by taking six months of job protected leave annually, this proposal would instead allow new parents only to take six months of job protected leave *every two years*. Under this option, by taking the full six months to care for a newborn, the employee would forego any right to paid leave in the following year. Current law allows six months every two years, but restricts it to two three month periods. This proposal simply gives employees additional flexibility in taking their leave while adding only minimally to the business burden.

**Recommendations:** Your advisors agree that lowering the employee threshold will provoke significant opposition, but some of your advisors, including the First Lady, believe that it is a fight worth having. The First Lady believes strongly that lowering the threshold to 25 will make a real difference in people's lives, covering about 10 million more American workers with this significant benefit. She believes that, politically, it is an important thing to be for.

Some of your advisors feel that a decision about lowering the threshold must be made in the context of the impact of your overall agenda on the business community. Secretary Herman, for instance, believes that if you decide to call for an increase in the minimum wage, you should not also lower the threshold. If, however, you do not propose raising the minimum wage, then she feels you could call for lowering the threshold. Administrator Alvarez opposes any changes

to current law because she feels they will engender significant business opposition and may undermine gains we have already made.

Secretary Herman supports extending the length of FMLA leave. Secretary Rubin and Janet Yellin oppose Options 2A and 2B. Secretary Rubin feels that because businesses may need to hire replacement workers to cover six month absences, the cost to business of longer leave could be greater than the cost of initial implementation of the FMLA. He is also concerned that higher income workers are more likely to benefit from longer leave, while empirical evidence would suggest that all workers will pay for this in the form of lower wages. Janet Yellin shares Secretary Rubin's concerns about Options 2A and 2B, but supports Option 2C because she feels it is a very minor change from current law. The First Lady worries that the six month leave extension will make only a marginal difference, and will disproportionately assist higher-income workers.

The NEC has concerns about six months leave, but on the whole would support Option 2B -- extending the FMLA to six months for workers with two years tenure. The NEC fears, however, that lowering the limit to 25 will cause too much opposition from Southern Democratic Senators, especially if we also propose to raise minimum wage.

The DPC recommends that you propose Option 2B -- extending the FMLA to six months for workers with two years tenure -- and if you are willing to take on a larger fight, that you propose to lower the employee threshold to 25 as well. In addition, your advisors recommend that you continue to fight for the 24-hour extension of FMLA for school visits, doctor appointments and other family responsibilities.

**1. Expand FMLA Coverage to Businesses with 25 Employees**

☐ YES ☐ NO ☐ DISCUSS

**2A. Extend FMLA Leave from Three to Six Months**

☐ YES ☐ NO ☐ DISCUSS

**2B. Extend FMLA from Three Months to Six Months for Workers With Two Years Tenure**

☐ YES ☐ NO ☐ DISCUSS

**2C. Allow New Parents Six Months Every Two Years**

☐ YES ☐ NO ☐ DISCUSS



**Katharine Button**  
07/16/98 02:14:03 PM

Record Type: Record

To: Nicole R. Rabner/WHO/EOP  
cc:  
Subject: FMLA

----- Forwarded by Katharine Button/WHO/EOP on 07/16/98 02:18 PM -----



**Audrey T. Haynes @ OVP**

07/16/98 11:32:16 AM

Record Type: Record

To: See the distribution list at the bottom of this message  
cc: Maureen T. Shea/WHO/EOP, Sondra L. Seba/WHO/EOP  
Subject: FMLA

I had a lengthy conversation this morning with Donna Lenoff from the National Partnership for Women and Families. The Labor Cabinet and the groups are wanting us to have a FMLA 5th Anniversary event either the last couple days of July or first of August.

Deliverables could be: Support for expansion legislation since we have not discussed since State of Union Announcement; we could possibly announce an educational campaign targeted at small business between SBA and Labor for voluntary compliance; and support for study of the National Academy of Sciences' work on how to make FMLA more affordable for working Americans.

Also, the Families and Work Institute has a new study about business benefits vs. cost which is very positive. So that could be released.

Anyway, I'm trying to gauge the possibility of the President or Vice President doing this. I'm happy to put forth the request and see if we can work this through, but I'd like some feedback. thanks

Message Sent To:



**Katharine Button**  
07/16/98 02:14:03 PM

Record Type: Record

To: Nicole R. Rabner/WHO/EOP  
cc:  
Subject: FMLA

----- Forwarded by Katharine Button/WHO/EOP on 07/16/98 02:18 PM -----



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Message Sent To: \_\_\_\_\_

## PROPOSED EXPANSIONS

### CONGRESSIONAL PROPOSALS TO EXPAND THE FMLA

#### COVERING EMPLOYEES OF MID-SIZED COMPANIES

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The FMLA currently applies only to employers who employ 50 or more employees. The following bills would extend the FMLA to employees of mid-sized companies by lowering the threshold for FMLA coverage:

- Clinton Administration Proposal Contact: Geri Palast, Assistant Secretary of Labor (202) 219-4692
- S. 183, introduced by Sen. Christopher Dodd (D-Conn.) (25 employees) Contact: Suzanne Day (202) 224-5630
- H.R. 109, introduced by Rep. William Clay (D-Mo.) (25 employees)\* Contact: Peter Rutledge (202) 225-7117
- H.R. 191, introduced by Rep. Alcee Hastings (D-Fla.) (25 employees)\* Contact: Lindsay Rosenberg (202) 225-1313
- H.R. 234, introduced by Rep. Carolyn Maloney (D-N.Y.) (25 employees)\* Contact: Gail Ravnitsky (202) 225-7944
- H.R. 1373, introduced by Rep. Rosa DeLauro (D-Conn.) (20 employees) Contact: Catriona Macdonald (202) 225-3661
- S. \_\_\_ to be introduced by Sen. Edward Kennedy (D-Mass.) (10 employees) Contact: Susan Green (202) 224-5441

#### LEAVE FOR OTHER SERIOUS FAMILY NEEDS

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The FMLA currently allows employees to take leave for the birth or adoption of a baby; for the employee's serious health condition; or for the serious health condition of the employee's spouse, child, or parent. The following bills would allow employees to take leave for other important family needs:

**Education** -- 24 hours of unpaid leave per year to participate in children's school activities or literacy training:

- S. 280, introduced by Sen. Patty Murray (D-Wash.) Contact: Greg Williamson (202) 224-2621
- H.R. 191, introduced by Rep. Alcee Hastings (D-Fla.)\* Contact: Lindsay Rosenberg (202) 225-1313

**Education *Plus* Nonemergency Care for Children and Elderly Parents** -- 24 hours of unpaid leave per year to participate in school activities as well as to accompany children and older relatives to routine dental or medical appointments:

- H.R. 109, introduced by Rep. William Clay (D-Mo.)\* Contact: Peter Rutledge (202) 225-7117
- H.R. 234, introduced by Rep. Carolyn Maloney (D-N.Y.)\* Contact: Gail Ravnitsky (202) 225-7944
- Clinton Administration proposal Contact: Geri Palast, Assistant Secretary of Labor (202) 219-4692

**Domestic Violence** -- Permits employees to use FMLA leave to deal with the direct results of domestic violence and its aftermath.

- S. 367, introduced by Sen. Paul Wellstone (D-Minn.) Contact: Charlotte Oldham-Moore (202) 224-5641
- H.R. 851, introduced by Rep. Lucille Roybal-Allard (D-Cal.) Contact: Ellen Riddleberger (202) 225-1766

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\*H.R. 109, H.R. 191, and H.R. 234 both lower the coverage threshold *and* provide for leave for other serious family needs.

## **An Expanded FMLA Would Not Hurt Small Businesses**

The FMLA already covers some small worksites that have fewer than 50 employees. Worksites with fewer than 50 employees are covered by the FMLA if they are part of a larger company with at least 50 employees within a 75-mile radius. According to the bipartisan Family Leave Commission, the majority of the 58,000 covered worksites of 25 to 49 employees found it easy and inexpensive to comply with the FMLA:

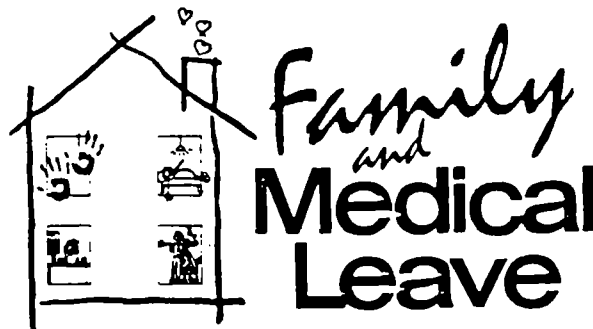
- 93% of covered worksites with 25 to 49 employees found it very or somewhat easy to determine worksite coverage, and 98% found it very or somewhat easy to determine employee eligibility.
- These smaller businesses found complying with the FMLA even easier than larger employers.
- 75% of covered worksites with 25 to 49 employees experienced little or no increase in their administrative costs; 89% experienced little or no increase in benefits costs; 83% experienced little or no increase in hiring and training costs, and 95% experienced little or no increase in other costs.

The Family Leave Commission also found that covered businesses' actual experiences with the FMLA were much more positive than non-covered businesses anticipated:

- Although almost 17% of non-covered worksites anticipated that complying with the FMLA would require a large increase in administrative costs, only 1.4% of covered worksites actually experienced a large increase.
- Although more than 18% of non-covered worksites anticipated a large increase in hiring/training costs, only 1% of covered worksites actually experienced a large increase.

### **ENDNOTES:**

1. Except where noted, data come from U.S. Department of Labor, Bureau of Labor Statistics, "Covered Employment and Wages (ES-202) Program," (1995) and assume even distribution of establishments of 20-49 employees and of employees who work in establishments of 20-49 employees. In this fact sheet, we use the terms "employer" and "business" interchangeably with the Bureau of Labor Statistics' "establishment."
2. A Workable Balance: Report to Congress on Family and Medical Leave Policies (Family Leave Commission, 1996).



ALABAMA  
MIDDLE SOUTH REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN ALABAMA

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN ALABAMA?

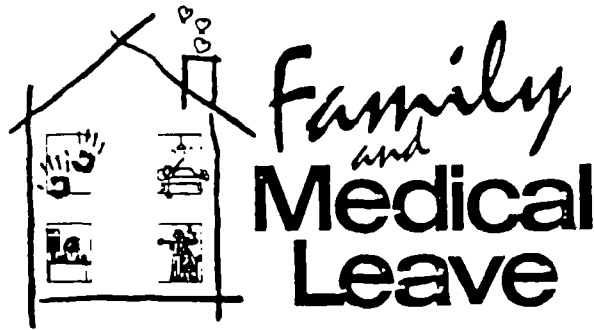
The chart below shows the numbers and rates of private-sector employees and employers in Alabama: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 204,663 more Alabamans (14.4% of the private workforce) would have the right to take FMLA leave.
- 70.2% of all Alabama's private *employees* would be covered by the FMLA -- the lowest rate in the Middle South, but only 1.1% lower than in the U.S. overall.
- Only an additional 7.1% of Alabama's private *employers* would be newly covered by the FMLA, yet this places Alabama among the 10 states in the nation with the highest increases in the percentage of covered employers.

### FMLA Coverage in Alabama

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
| Private Sector      | 50+                               | 25-49   | Total (25+) |
| # Employees covered | 791,233                           | 204,663 | 995,896     |
| % Employees covered | 55.8%                             | 14.4%   | 70.2%       |
| # Employers covered | 4,785                             | 6,743   | 11,528      |
| % Employers covered | 5.0%                              | 7.1%    | 12.1%       |

(over)



ALASKA  
PACIFIC REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN ALASKA

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN ALASKA?

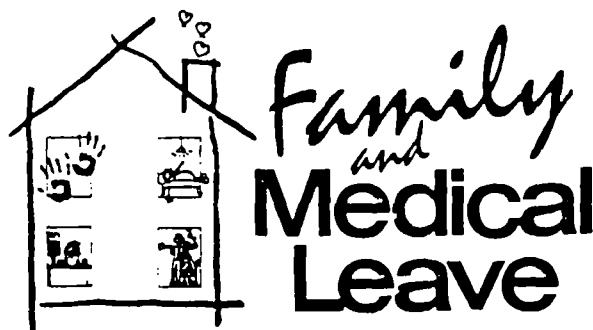
The chart below shows the numbers and rates of private-sector employees and employers in Alaska: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 27,151 more Alaskans would have the right to take FMLA leave.
- An additional 15.5% of Alaska's private *employees* would be newly covered by the FMLA -- the 10th highest increase in the nation.
- Because of its small population, Alaska would rank last in the nation for number of people covered by the FMLA.
- Of all states in the country, Alaska would have the smallest number (901) of private *employers* newly covered by the FMLA.

### FMLA Coverage in Alaska

|                     | Size of Employer (# of employees) |        |             |
|---------------------|-----------------------------------|--------|-------------|
|                     | 50+                               | 25-49  | Total (25+) |
| Private Sector      |                                   |        |             |
| # Employees covered | 82,040                            | 27,151 | 109,191     |
| % Employees covered | 46.9%                             | 15.5%  | 62.4%       |
| # Employers covered | 548                               | 901    | 1,449       |
| % Employers covered | 3.4%                              | 5.6%   | 9.0%        |

(over)



ARIZONA  
MOUNTAIN REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN ARIZONA

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN ARIZONA?

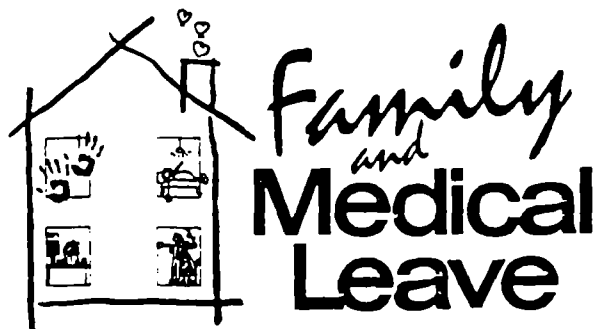
The chart below shows the numbers and rates of private-sector employees and employers in Arizona: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 202,834 more Arizonans (13.6% of the private workforce) would have the right to take FMLA leave.
- 72.7% of all Arizona's private *employees* would be covered by the FMLA -- only 12 states would have higher employee coverage.
- The percentage of all Arizona's private *employers* covered by the FMLA would be 11.7% -- just above the U.S. overall rate of 11.2%.

### FMLA Coverage in Arizona

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 884,824                           | 202,834 | 1,087,658   |
| % Employees covered | 59.1%                             | 13.6%   | 72.7%       |
| # Employers covered | 4,999                             | 6,700   | 11,699      |
| % Employers covered | 5.0%                              | 6.7%    | 11.7%       |

(over)



ARKANSAS  
SOUTH CENTRAL REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN ARKANSAS

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN ARKANSAS?

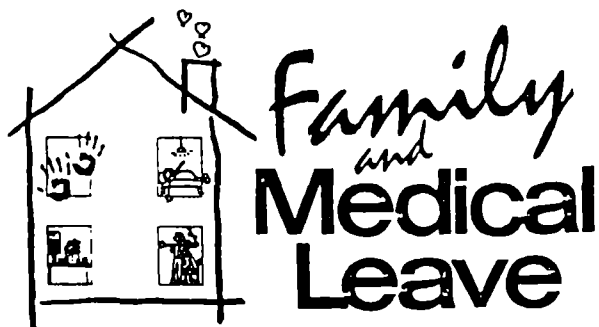
The chart below shows the numbers and rates of private-sector employees and employers in Arkansas: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 119,366 more people in Arkansas would have the right to take FMLA leave.
- 13.8% of Arkansas' private *employees* would be newly covered by the FMLA -- the same increase as in the U.S. overall.
- An additional 6.4% of Arkansas' private *employers* would be newly covered by the FMLA -- again, the same increase as in the U.S. overall.
- The total percentage of Arkansas private *employers* covered by the FMLA would be just 10.9% -- the lowest in the South Central region.

### FMLA Coverage in Arkansas

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 483,277                           | 119,366 | 602,643     |
| % Employees covered | 55.9%                             | 13.8%   | 69.7%       |
| # Employers covered | 2,785                             | 3,979   | 6,764       |
| % Employers covered | 4.5%                              | 6.4%    | 10.9%       |

(over)



CALIFORNIA  
PACIFIC REGION<sup>1</sup>

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## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN CALIFORNIA

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The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN CALIFORNIA?

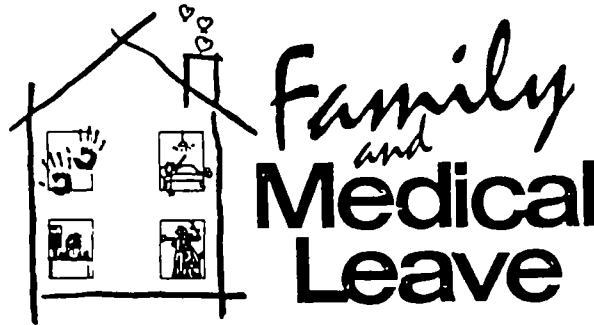
The chart below shows the numbers and rates of private-sector employees and employers in California: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 1,518,241 more people in California would have the right to take FMLA leave. California would rank 1st in the nation for the number of people newly covered by the FMLA.
- An additional 14.5% of California's private *employees* would be newly covered by the FMLA -- well above the national average of 13.8%.
- 70.0% of all *employees* in California's private workforce would be covered by the FMLA -- the highest rate in the Pacific region.

**FMLA Coverage in California**

|                     | Size of Employer (# of employees) |           |             |
|---------------------|-----------------------------------|-----------|-------------|
|                     | 50+                               | 25-49     | Total (25+) |
| Private Sector      |                                   |           |             |
| # Employees covered | 5,813,391                         | 1,518,241 | 7,331,632   |
| % Employees covered | 55.5%                             | 14.5%     | 70.0%       |
| # Employers covered | 37,145                            | 50,109    | 87,254      |
| % Employers covered | 4.1%                              | 5.5%      | 9.6%        |

(over)



COLORADO  
MOUNTAIN REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN COLORADO

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN COLORADO?

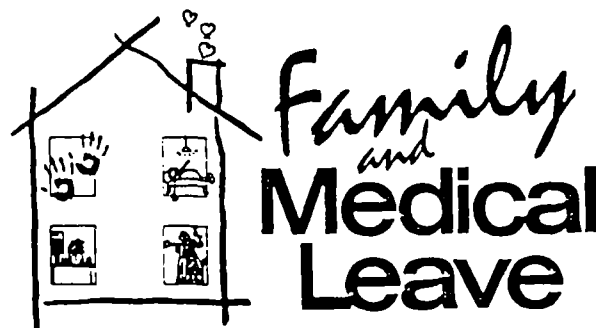
The chart below shows the numbers and rates of private-sector employees and employers in Colorado: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 228,653 more people in Colorado (15.3% of the private workforce) would have the right to take FMLA leave -- more people than in any other state in the Mountain region.
- A total of 67.5% of Colorado's private *employees* would be newly covered by the FMLA -- below the national average of 71.3% but above the Mountain regional average of 64.2%.
- Only 11.0% of all Colorado's private *employers* would be covered by the FMLA -- below the national rate of 11.2%.

### FMLA Coverage in Colorado

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 777,984                           | 228,653 | 1,006,637   |
| % Employees covered | 52.2%                             | 15.3%   | 67.5%       |
| # Employers covered | 5,172                             | 7,528   | 12,700      |
| % Employers covered | 4.5%                              | 6.5%    | 11.0%       |

(over)



CONNECTICUT  
NEW ENGLAND REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN CONNECTICUT

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN CONNECTICUT?

The chart below shows the numbers and rates of private-sector employees and employers in Connecticut: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 170,104 more people in Connecticut (12.8% of the private workforce) would have the right to take FMLA leave.
- 71.1% of all Connecticut's private *employees* would be covered by the FMLA -- the 2nd highest level in New England.
- The total percentage of Connecticut's private *employers* covered by the FMLA would be 10.0% -- below the national rate of 11.2% and lower than in 38 other states.

### FMLA Coverage in Connecticut

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 772,268                           | 170,104 | 942,372     |
| % Employees covered | 58.3%                             | 12.8%   | 71.1%       |
| # Employers covered | 4,310                             | 5,646   | 9,956       |
| % Employers covered | 4.3%                              | 5.7%    | 10.0%       |

(over)



DELAWARE  
SOUTH ATLANTIC REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN DELAWARE

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN DELAWARE?

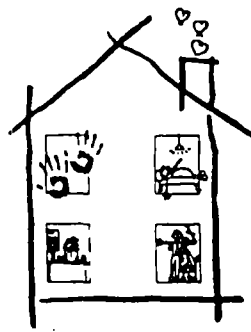
The chart below shows the numbers and rates of private-sector employees and employers in Delaware: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 34,812 more people in Delaware would have the right to take FMLA leave.
- Although only an additional 11.5% of Delaware private *employees* would be newly covered by the FMLA -- the lowest increase in the nation -- 74.2% of all Delaware's private employees would be covered by the FMLA -- the 7th highest rate in the nation.
- Only an additional 5.9% of Delaware's private *employers* would be newly covered by the FMLA -- a lower increase than in 35 other states.

### FMLA Coverage in Delaware

|                     | Size of Employer (# of employees) |        |             |
|---------------------|-----------------------------------|--------|-------------|
|                     | 50+                               | 25-49  | Total (25+) |
| Private Sector      |                                   |        |             |
| # Employees covered | 189,172                           | 34,812 | 223,984     |
| % Employees covered | 62.7%                             | 11.5%  | 74.2%       |
| # Employers covered | 924                               | 1,162  | 2,086       |
| % Employers covered | 4.7%                              | 5.9%   | 10.6%       |

(over)



# Family and Medical Leave

DISTRICT OF COLUMBIA  
SOUTH ATLANTIC REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN THE DISTRICT OF COLUMBIA

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN THE DISTRICT OF COLUMBIA?<sup>3</sup>

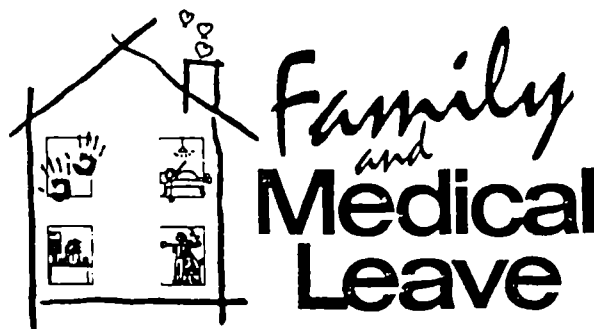
The chart below shows the numbers and rates of private-sector employees and employers in District of Columbia: who are currently covered by the federal FMLA (Size of Employer is 50+); who work for companies of 25-49 employees (Size of Employer is 25-49); and who work for companies of 25 or more employees (Size of Employer is 25+).

- 43,877 people in D.C. (11.8% of the private workforce) work for companies with between 25 and 49 employees. If it were not for the D.C. FMLA, they would not now have the right to take FMLA leave.
- 75.8% of all D.C.'s private *employees* work for companies of 25 or more employees -- the 2nd highest rate in the nation.
- The total percentage of D.C.'s private *employers* of 25 or more employees is only 11.0% -- just below the overall U.S. rate of 11.2%.

### FMLA Coverage in the District of Columbia

|                     | Size of Employer (# of employees) |        |             |
|---------------------|-----------------------------------|--------|-------------|
|                     | 50+                               | 25-49  | Total (25+) |
| Private Sector      |                                   |        |             |
| # Employees covered | 238,323                           | 43,877 | 282,200     |
| % Employees covered | 64.0%                             | 11.8%  | 75.8%       |
| # Employers covered | 1,290                             | 1,438  | 2,728       |
| % Employers covered | 5.2%                              | 5.8%   | 11.0%       |

(over)



FLORIDA  
SOUTH ATLANTIC REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN FLORIDA

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN FLORIDA?

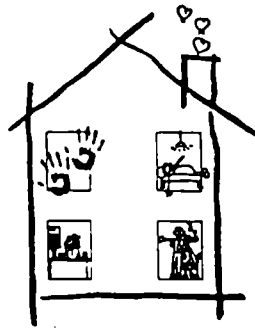
The chart below shows the numbers and rates of private-sector employees and employers in Florida who: are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 676,403 more Floridians (13.2% of the private workforce) would have the right to take FMLA leave.
- Florida would rank 4th in the nation for numbers of both *employees* and *employers* newly covered by the FMLA.
- Only additional 5.9% of Florida's private *employers* would be newly covered by the FMLA -- a lower increase than in 35 other states.
- The total percentage of Florida's private *employers* covered by the FMLA would be only 10.5% -- below the rate of 33 other states.

### FMLA Coverage in Florida

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
| Private Sector      | 50+                               | 25-49   | Total (25+) |
| # Employees covered | 2,942,258                         | 676,403 | 3,618,661   |
| % Employees covered | 57.2%                             | 13.2%   | 70.4%       |
| # Employers covered | 17,315                            | 22,152  | 39,467      |
| % Employers covered | 4.6%                              | 5.9%    | 10.5%       |

(over)



# Family and Medical Leave

GEORGIA  
SOUTH ATLANTIC REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN GEORGIA

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN GEORGIA?

The chart below shows the numbers and rates of private-sector employees and employers in Georgia: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 384,518 more Georgians (14.0% of the private workforce) would have the right to take FMLA leave. Georgia would rank 10th in the nation for people who would be newly covered by the FMLA.
- 72.5% of all Georgia's private *employees* would be covered by the FMLA -- the 13th highest rate in the nation.
- An additional 7.0% of Georgia's private *employers* would be newly covered by the FMLA -- above the national average of 6.4% and the 5th highest increase in the nation (along with Missouri and Virginia).

### FMLA Coverage in Georgia

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 1,605,380                         | 384,518 | 1,989,898   |
| % Employees covered | 58.5%                             | 14.0%   | 72.5%       |
| # Employers covered | 9,705                             | 12,663  | 22,368      |
| % Employers covered | 5.4%                              | 7.0%    | 12.4%       |

(over)



HAWAII  
PACIFIC REGION<sup>1</sup>

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## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN HAWAII

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The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN HAWAII?

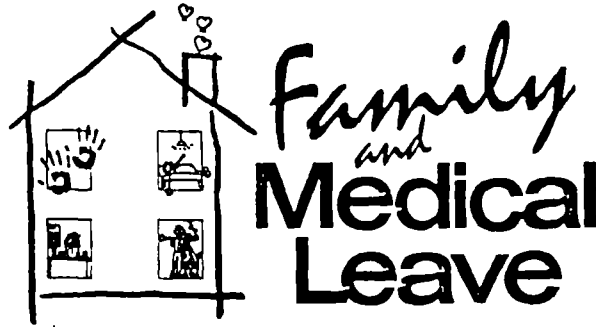
The chart below shows the numbers and rates of private-sector employees and employers in Hawaii: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 64,606 more Hawaiians (15.0% of the private workforce) would have the right to take FMLA leave.
- 67.7% of all Hawaii's private *employees* would be covered by the FMLA -- the second highest (after California) in the total percentage of covered *employees* in the Pacific region.
- An additional 6.8% of Hawaii's private *employers* would be newly covered by the FMLA -- the highest increase in the region and just above the national average of 6.4%.

### FMLA Coverage in Hawaii

|                     | Size of Employer (# of employees) |        |             |
|---------------------|-----------------------------------|--------|-------------|
| Private Sector      | 50+                               | 25-49  | Total (25+) |
| # Employees covered | 226,192                           | 64,606 | 290,798     |
| % Employees covered | 52.7%                             | 15.0%  | 67.7%       |
| # Employers covered | 1,454                             | 2,133  | 3,587       |
| % Employers covered | 4.6%                              | 6.8%   | 11.4%       |

(over)



ILLINOIS  
MIDWEST REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN ILLINOIS

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN ILLINOIS?

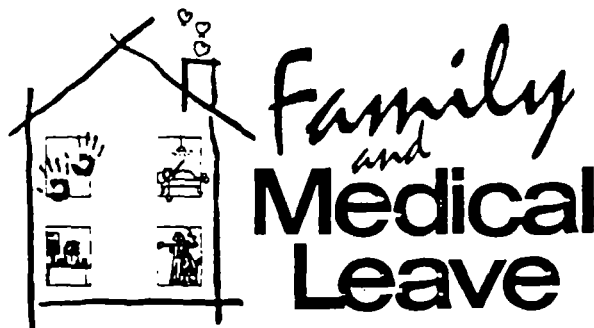
The chart below shows the numbers and rates of private-sector employees and employers in Illinois: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 573,788 more people in Illinois (12.4% of the private workforce) would have the right to take FMLA leave. Illinois would rank 5th in the nation and the highest in the Midwest for the number of people newly covered by the FMLA.
- More than 3 out of 4 (75.4%) Illinois' private *employees* would be covered by the FMLA -- the 3rd highest rate in the nation and the highest in the Midwest.
- Only an additional 6.8% of Illinois' private *employers* would be covered by the FMLA -- the lowest increase in the Midwest.

### FMLA Coverage in Illinois

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 2,919,950                         | 573,788 | 3,493,738   |
| % Employees covered | 63.0%                             | 12.4%   | 75.4%       |
| # Employers covered | 15,921                            | 18,819  | 34,740      |
| % Employers covered | 5.7%                              | 6.8%    | 12.5%       |

(over)



INDIANA  
MIDWEST REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN INDIANA

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN INDIANA?

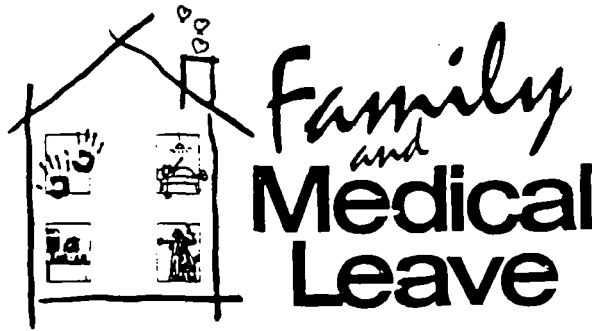
The chart below shows the numbers and rates of private-sector employees and employers in Indiana: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 321,659 more Indianans would have the right to take FMLA leave.
- 13.9% of Indiana's private *employees* would be newly covered by the FMLA -- the highest increase in the percentage of covered *employees* in the Midwest.
- 73.4% of all Indiana's private *employees* would be covered by the FMLA -- the 9th highest rate in the country (tied with Wisconsin).

### FMLA Coverage in Indiana

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 1,379,005                         | 321,659 | 1,700,664   |
| % Employees covered | 59.5%                             | 13.9%   | 73.4%       |
| # Employers covered | 8,140                             | 10,545  | 18,685      |
| % Employers covered | 5.8%                              | 7.5%    | 13.3%       |

(over)



IDAHO  
MOUNTAIN REGION<sup>1</sup>

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## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN IDAHO

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The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN IDAHO?

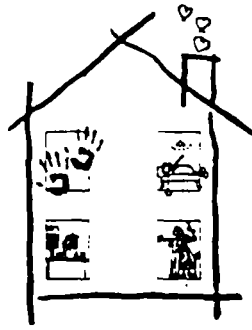
The chart below shows the numbers and rates of private-sector employees and employers in Idaho: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 60,318 more people in Idaho would have the right to take FMLA leave.
- An additional 16.2% of Idaho's private *employees* would be newly covered by the FMLA -- the 6th highest increase in the nation.
- Idaho would rank among the 3 states in the nation with the lowest levels of total coverage for both *employees* (59.6%) and *employers* (8.9%) in the private sector. (The other 2 states would be Wyoming and Montana).

### FMLA Coverage in Idaho

| Private Sector      | Size of Employer (# of employees) |        |             |
|---------------------|-----------------------------------|--------|-------------|
|                     | 50+                               | 25-49  | Total (25+) |
| # Employees covered | 161,770                           | 60,318 | 222,088     |
| % Employees covered | 43.4%                             | 16.2%  | 59.6%       |
| # Employers covered | 1,086                             | 2,047  | 3,133       |
| % Employers covered | 3.1%                              | 5.8%   | 8.9%        |

(over)



# Family and Medical Leave

IOWA  
NORTH CENTRAL REGION<sup>1</sup>

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## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN IOWA

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The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN IOWA?

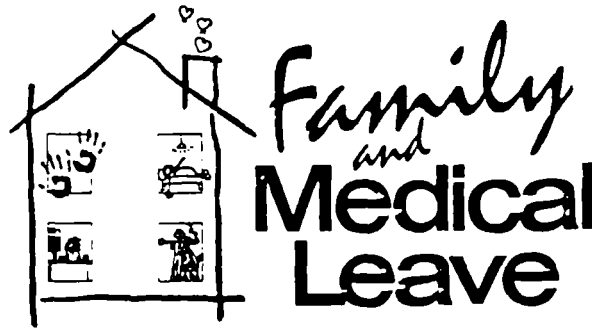
The chart below shows the numbers and rates of private-sector employees and employers in Iowa: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 154,623 more people in Iowa would have the right to take FMLA leave.
- An additional 14.3% of Iowa's private *employees* would be newly covered by the FMLA -- above the national average of 13.8%.
- Only an additional 6.4% of Iowa's private *employers* would be newly covered by the FMLA -- the same increase as in the U.S. overall.

### FMLA Coverage in Iowa

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 569,551                           | 154,623 | 724,174     |
| % Employees covered | 52.8%                             | 14.3%   | 67.1%       |
| # Employers covered | 3,586                             | 5,118   | 8,704       |
| % Employers covered | 4.5%                              | 6.4%    | 10.9%       |

(over)



KANSAS  
NORTH CENTRAL REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN KANSAS

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN KANSAS?

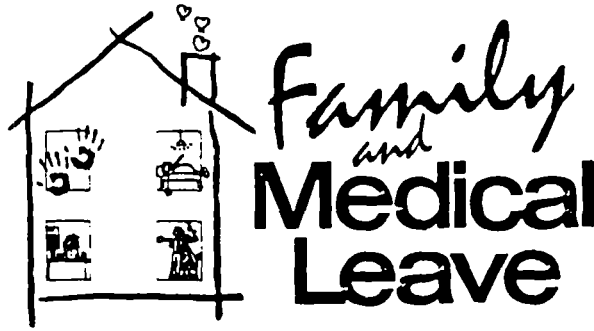
The chart below shows the numbers and rates of private-sector employees and employers in Kansas: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 142,445 more Kansans would have the right to take FMLA leave.
- 15.3% of Kansas' private *employees* would be newly covered by the FMLA -- above both the national average of 13.8% and the North Central regional average of 14.7%.
- The total percentage of in Kansas' private *employers* covered by the FMLA would be 11.1% -- just above the North Central regional average of 10.9% and below the overall U.S. rate of 11.2%.

### FMLA Coverage in Kansas

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 480,727                           | 142,445 | 623,172     |
| % Employees covered | 51.6%                             | 15.3%   | 66.9%       |
| # Employers covered | 3,109                             | 4,736   | 7,845       |
| % Employers covered | 4.4%                              | 6.7%    | 11.1%       |

(over)



KENTUCKY  
MIDDLE SOUTH REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN KENTUCKY

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN KENTUCKY?

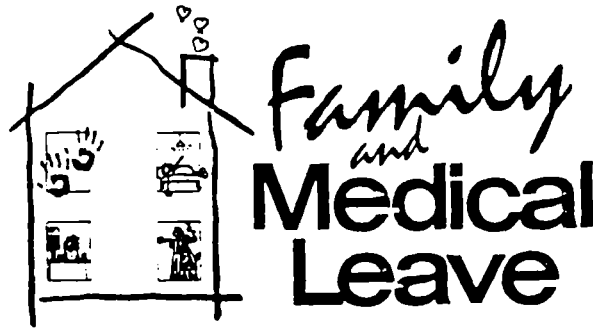
The chart below shows the numbers and rates of private-sector employees and employers in Kentucky: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 190,989 more people in Kentucky would have the right to take FMLA leave.
- 14.7% of Kentucky's private *employees* would be newly covered by the FMLA -- well above the national average of 13.8% and the highest increase in the percentage of covered *employees* in the Middle South region.
- An additional 7.3% of Kentucky's private *employers* would be covered by the FMLA -- the 3rd highest increase in the nation (along with Ohio and Louisiana) but only 0.3% above the Middle South regional average of 7.0%.

### FMLA Coverage in Kentucky

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 732,180                           | 190,989 | 923,169     |
| % Employees covered | 56.3%                             | 14.7%   | 71.0%       |
| # Employers covered | 4,546                             | 6,322   | 10,868      |
| % Employers covered | 5.2%                              | 7.3%    | 12.5%       |

(over)



LOUISIANA  
SOUTH CENTRAL REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN LOUISIANA

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN LOUISIANA?

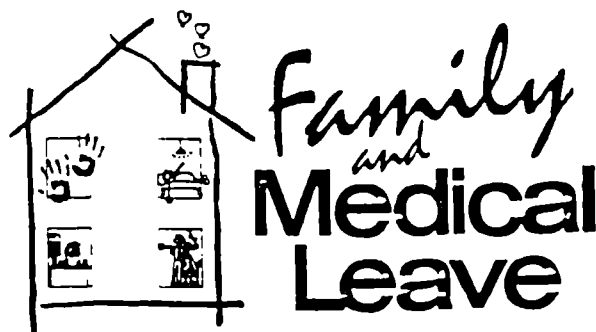
The chart below shows the numbers and rates of private-sector employees and employers in Louisiana: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 214,941 more Louisianans would have the right to take FMLA leave.
- 15.8% of all Louisiana's private *employees* would be newly covered by the FMLA, placing Louisiana among the 10 states in the nation with the highest increases of covered *employees*.
- An additional 7.3% of Louisiana's private *employers* would be covered by the FMLA -- the 3rd highest increase in the nation (along with Ohio and Kentucky) but only 0.3% higher than the South Central regional average of 7.0%.

### FMLA Coverage in Louisiana

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
| Private Sector      | 50+                               | 25-49   | Total (25+) |
| # Employees covered | 718,801                           | 214,941 | 933,742     |
| % Employees covered | 52.8%                             | 15.8%   | 68.6%       |
| # Employers covered | 4,725                             | 7,143   | 11,868      |
| % Employers covered | 4.9%                              | 7.3%    | 12.2%       |

(over)



MAINE  
NEW ENGLAND REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN MAINE

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN MAINE?<sup>3</sup>

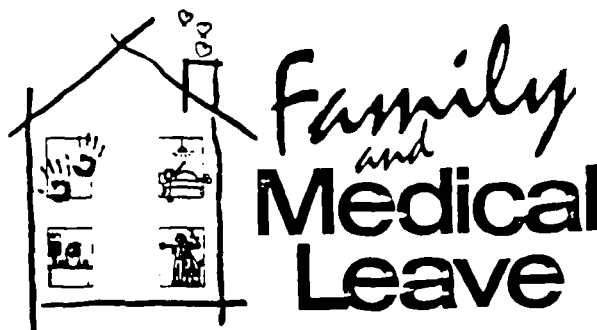
The chart below shows the numbers and rates of private-sector employees and employers in Maine: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 59,953 more people in Maine (14.3% of the private workforce) would have the right to take FMLA leave.
- An additional 5.4% of Maine's private *employers* would be covered by the FMLA -- the 2nd lowest increase in the nation (along with Washington).
- The total percentage of Maine's private *employers* covered by the FMLA would be only 9.2% -- the 6th lowest rate in the nation.

### FMLA Coverage in Maine

|                     | Size of Employer (# of employees) |        |             |
|---------------------|-----------------------------------|--------|-------------|
| Private Sector      | 50+                               | 25-49  | Total (25+) |
| # Employees covered | 212,909                           | 59,953 | 272,862     |
| % Employees covered | 50.9%                             | 14.3%  | 65.2%       |
| # Employers covered | 1,389                             | 1,978  | 3,367       |
| % Employers covered | 3.8%                              | 5.4%   | 9.2%        |

(over)



MARYLAND  
SOUTH ATLANTIC REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN MARYLAND

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN MARYLAND?

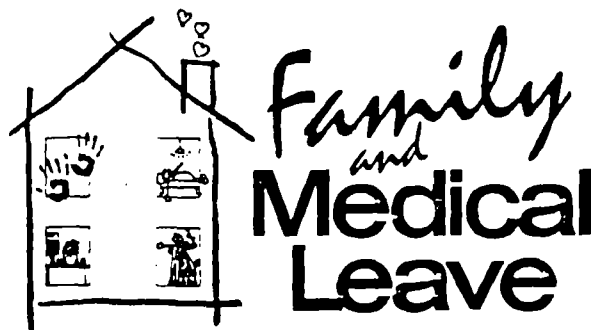
The chart below shows the numbers and rates of private-sector employees and employers in Maryland: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 243,400 more people in Maryland (14.3% of the private workforce) would have the right to take FMLA leave.
- 70.1% of all Maryland's private *employees* would be covered by the FMLA -- slightly below the national rate of 71.3%.
- The total percentage of Maryland's private *employers* covered by the FMLA would be 10.4% -- the lowest level in the South Atlantic region and lower than in 35 other states.

### FMLA Coverage in Maryland

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 952,519                           | 243,400 | 1,195,919   |
| % Employees covered | 55.8%                             | 14.3%   | 70.1%       |
| # Employers covered | 5,923                             | 7,998   | 13,921      |
| % Employers covered | 4.4%                              | 6.0%    | 10.4%       |

(over)



MASSACHUSETTS  
NEW ENGLAND REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN MASSACHUSETTS

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN MASSACHUSETTS?

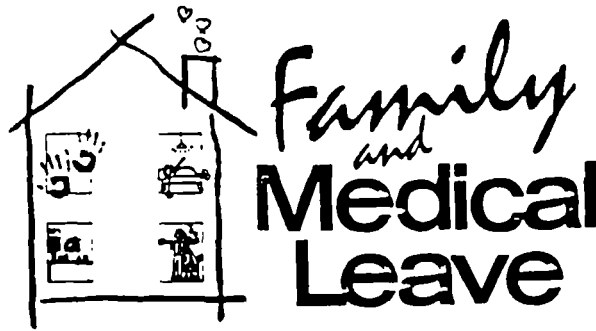
The chart below shows the numbers and rates of private-sector employees and employers in Massachusetts: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 319,308 more people in Massachusetts (12.9% of the private workforce) would have the right to take FMLA leave. Massachusetts would have the most people newly covered by the FMLA in the New England region.
- 72.8% of all Massachusetts' private *employees* would be covered by the FMLA -- the highest rate in the New England region.
- An additional 6.5% of Massachusetts' private *employers* would be covered by the FMLA -- the highest increase in New England and just over the national average of 6.4%.

### FMLA Coverage in Massachusetts

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 1,483,486                         | 319,308 | 1,802,794   |
| % Employees covered | 59.9%                             | 12.9%   | 72.8%       |
| # Employers covered | 8,518                             | 10,535  | 19,053      |
| % Employers covered | 5.2%                              | 6.5%    | 11.7%       |

(over)



MICHIGAN  
MIDWEST REGION<sup>1</sup>

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## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN MICHIGAN

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The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN MICHIGAN?

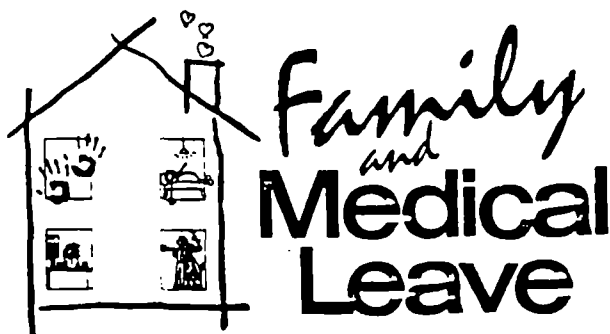
The chart below shows the numbers and rates of private-sector employees and employers in Michigan: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 437,375 more people in Michigan (12.4% of the private workforce) would have the right to take FMLA leave. This would rank Michigan 8th in the nation for the most people newly covered by the FMLA.
- 74.9% of all Michigan's private *employees* would be covered by the FMLA, placing Michigan among the 10 states with the highest rates in the nation.
- The total percentage of Michigan's private *employers* covered by the FMLA would be 12.4% -- among the 10 highest rates in the nation.

### FMLA Coverage in Michigan

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 2,196,949                         | 437,375 | 2,634,324   |
| % Employees covered | 62.5%                             | 12.4%   | 74.9%       |
| # Employers covered | 11,552                            | 14,359  | 25,911      |
| % Employers covered | 5.5%                              | 6.9%    | 12.4%       |

(over)



MINNESOTA  
NORTH CENTRAL REGION<sup>1</sup>

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## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN MINNESOTA

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The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN MINNESOTA?

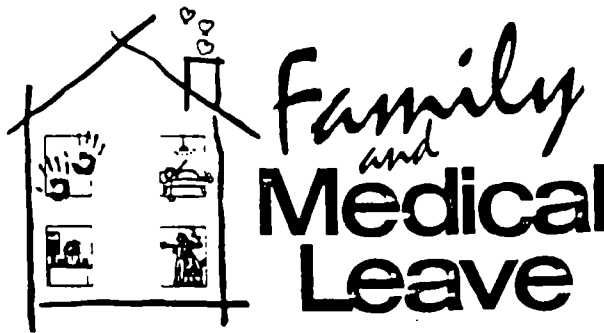
The chart below shows the numbers and rates of private-sector employees and employers in Minnesota: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 259,654 more Minnesotans (13.5% of the private workforce) would have the right to take FMLA leave.
- 72.2% of all Minnesota's private *employees* would be covered by the FMLA -- the highest rate in the North Central region.
- Only an additional 6.8% of Minnesota's private *employers* would be newly covered by the FMLA -- 0.4% above the national and North Central regional averages, both of 6.4%.

**FMLA Coverage in Minnesota**

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
| Private Sector      | 50+                               | 25-49   | Total (25+) |
| # Employees covered | 1,131,532                         | 259,654 | 1,391,186   |
| % Employees covered | 58.7%                             | 13.5%   | 72.2%       |
| # Employers covered | 6,558                             | 8,579   | 15,137      |
| % Employers covered | 5.2%                              | 6.8%    | 12.0%       |

(over)



MISSISSIPPI  
MIDDLE SOUTH REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN MISSISSIPPI

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN MISSISSIPPI?

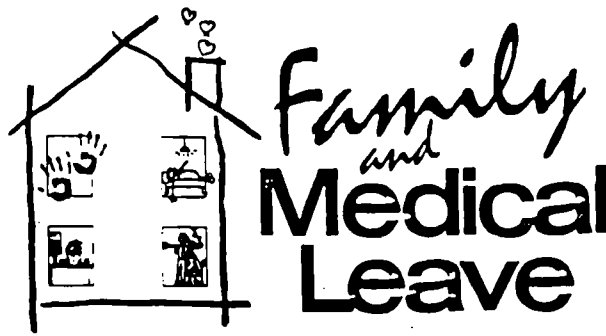
The chart below shows the numbers and rates of private-sector employees and employers in Mississippi: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 107,230 more Mississippians (12.8% of the private workforce) would have the right to take FMLA leave.
- 71.1% of all Mississippi's private *employees* would be covered by the FMLA -- almost equal to the national rate of 71.3%.
- Only an additional 6.3% of Mississippi's private *employers* would be newly covered by the FMLA -- the lowest increase in the Middle South region.
- The total percentage of Mississippi's private *employers* covered by the FMLA would be 11.3% -- the lowest rate in the Middle South.

### FMLA Coverage in Mississippi

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
| Private Sector      | 50+                               | 25-49   | Total (25+) |
| # Employees covered | 490,372                           | 107,230 | 597,602     |
| % Employees covered | 58.3%                             | 12.8%   | 71.1%       |
| # Employers covered | 2,793                             | 3,561   | 6,354       |
| % Employers covered | 5.0%                              | 6.3%    | 11.3%       |

(over)



MISSOURI  
NORTH CENTRAL REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN MISSOURI

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN MISSOURI?

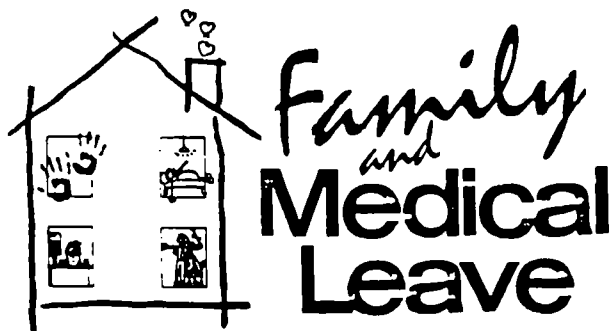
The chart below shows the numbers and rates of private-sector employees and employers in Missouri: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 295,517 more Missourians would have the right to take FMLA leave. Missouri would have the most people newly covered by the FMLA in the North Central region.
- An additional 14.4% of Missouri's private *employees* would be newly covered by the FMLA -- well above the national average of 13.8%.
- The total percentage of Missouri's private *employers* covered by the FMLA would be 12.0% -- tied with Minnesota for the highest rate in the North Central region.

### FMLA Coverage in Missouri

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
| Private Sector      | 50+                               | 25-49   | Total (25+) |
| # Employees covered | 1,160,093                         | 295,517 | 1,455,610   |
| % Employees covered | 56.6%                             | 14.4%   | 71.0%       |
| # Employers covered | 6,962                             | 9,790   | 16,752      |
| % Employers covered | 5.0%                              | 7.0%    | 12.0%       |

(over)



MONTANA  
MOUNTAIN REGION<sup>1</sup>

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## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN MONTANA

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The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN MONTANA?

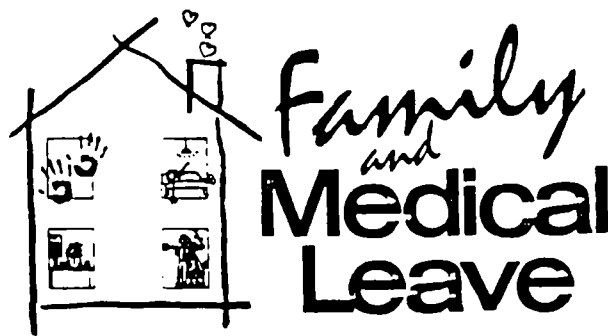
The chart below shows the numbers and rates of private-sector employees and employers in Montana: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 46,419 more people in Montana would have the right to take FMLA leave.
- An additional 17.9% of Montana's private *employees* would be covered by the FMLA -- the 2nd highest increase in the nation.
- For the first time, over half -- 54.2% -- of all Montana's private *employees* would be covered by the FMLA -- but this is still the 2nd lowest rate in the nation.
- An additional 5.0% of Montana's private *employers* would be newly covered by the FMLA -- the lowest increase in the nation.

**FMLA Coverage in Montana**

|                     | Size of Employer (# of employees) |        |             |
|---------------------|-----------------------------------|--------|-------------|
| Private Sector      | 50+                               | 25-49  | Total (25+) |
| # Employees covered | 94,343                            | 46,419 | 140,762     |
| % Employees covered | 36.3%                             | 17.9%  | 54.2%       |
| # Employers covered | 754                               | 1,557  | 2,311       |
| % Employers covered | 2.4%                              | 5.0%   | 7.4%        |

(over)



NEBRASKA  
NORTH CENTRAL REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN NEBRASKA

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 43% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN NEBRASKA?

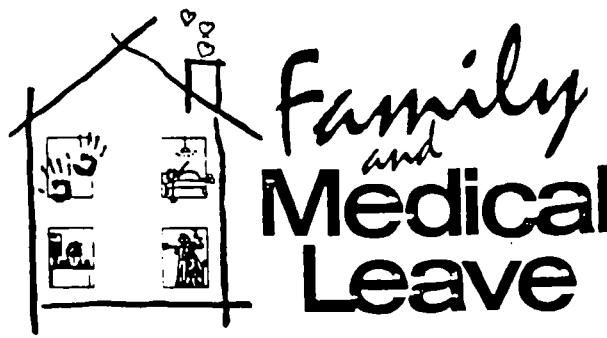
The chart below shows the numbers and rates of private-sector employees and employers in Nebraska: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 86,108 more Nebraskans (13.6% of the private workforce) would have the right to take FMLA leave.
- 69.2% of all Nebraska's private *employees* would be covered by the FMLA, above the North Central regional average of 67.1%.
- An additional 6.5% of Nebraska's private *employers* would be newly covered by the FMLA -- just 0.1% above the national and North Central regional averages, both of 6.4%.

### FMLA Coverage in Nebraska

|                     | Size of Employer (# of employees) |        |             |
|---------------------|-----------------------------------|--------|-------------|
| Private Sector      | 50+                               | 25-49  | Total (25+) |
| # Employees covered | 352,695                           | 86,108 | 438,803     |
| % Employees covered | 55.6%                             | 13.6%  | 69.2%       |
| # Employers covered | 2,005                             | 2,884  | 4,889       |
| % Employers covered | 4.5%                              | 6.5%   | 11.0%       |

(over)



NEVADA  
MOUNTAIN REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN NEVADA

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN NEVADA?

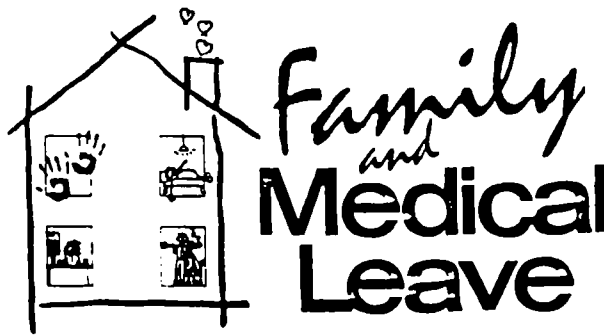
The chart below shows the numbers and rates of private-sector employees and employers in Nevada: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 80,243 more Nevadans (12.0% of the private workforce) would have the right to take FMLA leave.
- 74.7% of all Nevada's private *employees* would be covered by the FMLA -- the 5th highest rate in the nation and the highest in the Mountain region.
- An additional 6.9% of Nevada's private *employers* would be newly covered by the FMLA -- 0.5% higher than the national average of 6.4% and 0.6% higher than the Mountain region average of 6.3%.

### FMLA Coverage in Nevada

|                     | Size of Employer (# of employees) |        |             |
|---------------------|-----------------------------------|--------|-------------|
|                     | 50+                               | 25-49  | Total (25+) |
| Private Sector      |                                   |        |             |
| # Employees covered | 420,708                           | 80,243 | 500,951     |
| % Employees covered | 62.7%                             | 12.0%  | 74.7%       |
| # Employers covered | 1,948                             | 2,675  | 4,623       |
| % Employers covered | 5.1%                              | 6.9%   | 12.0%       |

(over)



NEW HAMPSHIRE  
NEW ENGLAND REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN NEW HAMPSHIRE

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN NEW HAMPSHIRE?

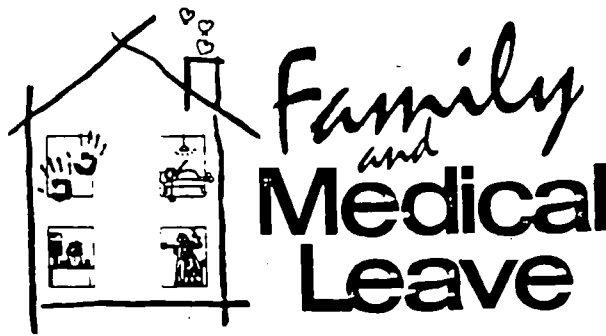
The chart below shows the numbers and rates of private-sector employees and employers in New Hampshire: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 65,703 more people in New Hampshire would have the right to take FMLA leave.
- An additional 14.9% of New Hampshire's private workforce would be covered by the FMLA -- well above both New England's regional average of 14.1% and the national average of 13.8%.
- The total percentage of New Hampshire's private *employers* covered by the FMLA would be 10.2% -- close to the New England regional average of 10.0% and below the national average of 11.2%.

### FMLA Coverage in New Hampshire

|                     | Size of Employer (# of employees) |        |             |
|---------------------|-----------------------------------|--------|-------------|
| Private Sector      | 50+                               | 25-49  | Total (25+) |
| # Employees covered | 226,007                           | 65,703 | 291,710     |
| % Employees covered | 51.2%                             | 14.9%  | 66.1%       |
| # Employers covered | 1,536                             | 2,185  | 3,721       |
| % Employers covered | 4.2%                              | 6.0%   | 10.2%       |

(over)



NEW JERSEY  
MIDDLE ATLANTIC REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN NEW JERSEY

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN NEW JERSEY ?

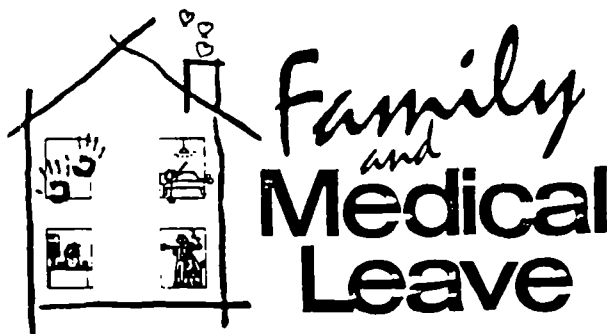
The chart below shows the numbers and rates of private-sector employees and employers in New Jersey: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 380,569 more people in New Jersey would have the right to take FMLA leave.
- 71.0% of all New Jersey's private workforce would be covered by the FMLA -- just below the national average of 71.3%.
- An additional 5.7% of New Jersey's private *employers* would be covered by the FMLA -- below the overall national increase of 6.4%.

### FMLA Coverage in New Jersey

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
| Private Sector      | 50+                               | 25-49   | Total (25+) |
| # Employees covered | 1,686,270                         | 380,569 | 2,066,839   |
| % Employees covered | 57.9%                             | 13.1%   | 71.0%       |
| # Employers covered | 9,874                             | 12,543  | 22,417      |
| % Employers covered | 4.5%                              | 5.7%    | 10.2%       |

(over)



NEW MEXICO  
MOUNTAIN REGION<sup>1</sup>

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## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN NEW MEXICO

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The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN NEW MEXICO?

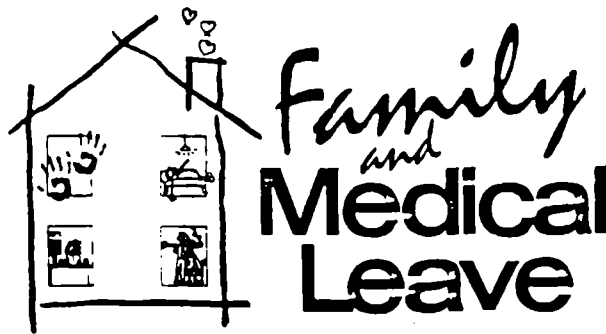
The chart below shows the numbers and rates of private-sector employees and employers in New Mexico: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 84,160 more people in New Mexico would have the right to take FMLA leave.
- An additional 16.7% of New Mexico's private *employees* would be covered by the FMLA -- the 4th highest increase in the nation.
- The total percentage of New Mexico's private *employers* covered by the FMLA would be 10.9% -- above the Mountain regional rate of 10.3% but below the overall U.S. rate of 11.2%.

### FMLA Coverage in New Mexico

|                     | Size of Employer (# of employees) |        |             |
|---------------------|-----------------------------------|--------|-------------|
| Private Sector      | 50+                               | 25-49  | Total (25+) |
| # Employees covered | 243,224                           | 84,160 | 327,384     |
| % Employees covered | 48.3%                             | 16.7%  | 65.0%       |
| # Employers covered | 1,745                             | 2,786  | 4,531       |
| % Employers covered | 4.2%                              | 6.7%   | 10.9%       |

(over)



NORTH CAROLINA  
SOUTH ATLANTIC REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN NORTH CAROLINA

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN NORTH CAROLINA?

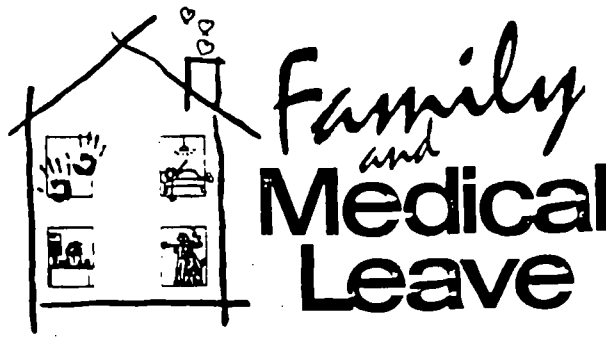
The chart below shows the numbers and rates of private-sector employees and employers in North Carolina: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 385,048 more North Carolinians (13.5% of the private workforce) would have the right to take FMLA leave. North Carolina would rank 9th in the nation for the number of people newly covered by the FMLA.
- 73.1% of all North Carolina's private *employees* would be covered by the FMLA -- the 10th highest rate in the nation.
- An additional 7.4% of North Carolina's private *employers* would be newly covered by the FMLA -- only 1.0% above the national average of 6.4% but still making North Carolina (along with Texas) the state with the 2nd highest increase in the nation in rate of employer coverage.

### FMLA Coverage in North Carolina

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 1,695,322                         | 385,048 | 2,080,370   |
| % Employees covered | 59.6%                             | 13.5%   | 73.1%       |
| # Employers covered | 9,653                             | 12,630  | 22,283      |
| % Employers covered | 5.6%                              | 7.4%    | 13.0%       |

(over)



NORTH DAKOTA  
NORTH CENTRAL REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN NORTH DAKOTA

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN NORTH DAKOTA?

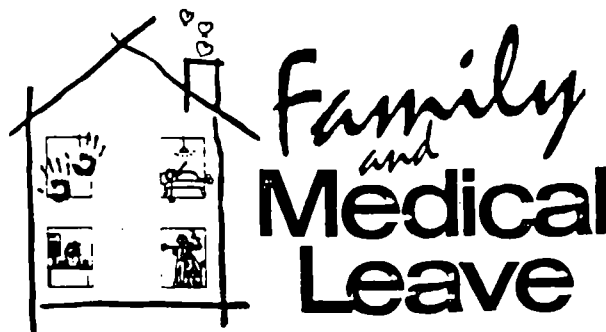
The chart below shows the numbers and rates of private-sector employees and employers in North Dakota: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 37,353 more North Dakotans would have the right to take FMLA leave.
- An additional 16.9% of North Dakota's private *employees* would be covered by the FMLA -- the 3rd highest increase in the nation and the highest in the North Central region.
- The total percentage of North Dakota's private *employers* covered by the FMLA would be only 9.8% -- below the overall U.S. rate of 11.2% and the rates of 39 other states.

### FMLA Coverage in North Dakota

|                     | Size of Employer (# of employees) |        |             |
|---------------------|-----------------------------------|--------|-------------|
| Private Sector      | 50+                               | 25-49  | Total (25+) |
| # Employees covered | 97,870                            | 37,353 | 135,223     |
| % Employees covered | 44.2%                             | 16.9%  | 61.1%       |
| # Employers covered | 759                               | 1,243  | 2,002       |
| % Employers covered | 3.7%                              | 6.1%   | 9.8%        |

(over)



OHIO  
MIDWEST REGION<sup>1</sup>

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## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN OHIO

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The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN OHIO?

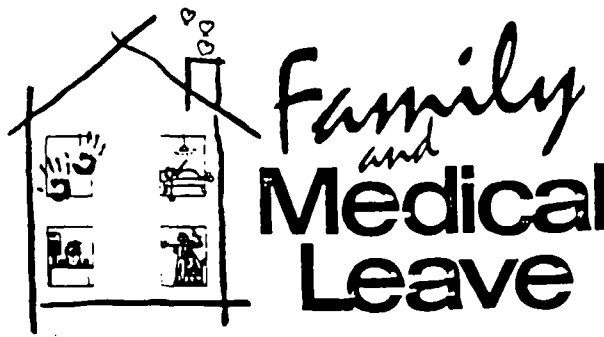
The chart below shows the numbers and rates of private-sector employees and employers in Ohio: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 558,893 more people in Ohio (13.0% of the private workforce) would have the right to take FMLA leave. Ohio would rank 6th in the nation for the number of people newly covered by the FMLA.
- 74.5% of Ohio's private *employees* would be covered by the FMLA -- the 6th highest rate in the nation.
- An additional 7.3% of Ohio's private *employers* would be newly covered by the FMLA -- the 3rd highest increase in the nation (along with Louisiana and Kentucky).

### FMLA Coverage in Ohio

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 2,651,361                         | 558,893 | 3,210,254   |
| % Employees covered | 61.5%                             | 13.0%   | 74.5%       |
| # Employers covered | 15,427                            | 18,321  | 33,748      |
| % Employers covered | 6.2%                              | 7.3%    | 13.5%       |

(over)



OKLAHOMA  
SOUTH CENTRAL REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN OKLAHOMA

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN OKLAHOMA?

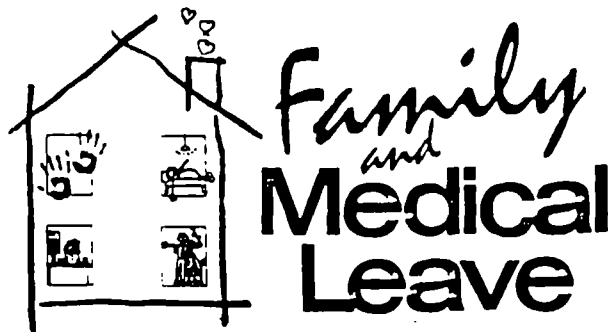
The chart below shows the numbers and rates of private-sector employees and employers in Oklahoma: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 160,998 more Oklahomans would have the right to take FMLA leave.
- An additional 16.1% of Oklahoma's private *employees* would be covered by the FMLA -- among the 10 states in the nation with the highest increases in private employee coverage and the highest increase in the South Central region.
- The total percentage of Oklahoma's private *employers* covered by the FMLA would be 11.2% -- below the South Central regional average of 11.8% and the same as the national rate.

### FMLA Coverage in Oklahoma

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 508,751                           | 160,998 | 669,749     |
| % Employees covered | 50.9%                             | 16.1%   | 67.0%       |
| # Employers covered | 3,349                             | 5,352   | 8,701       |
| % Employers covered | 4.3%                              | 6.9%    | 11.2%       |

(over)



OREGON  
PACIFIC REGION<sup>1</sup>

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## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN OREGON

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The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN OREGON?<sup>3</sup>

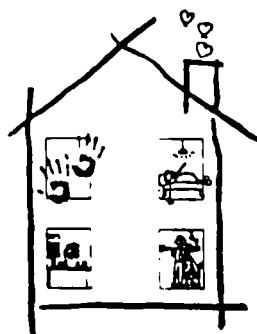
The chart below shows the numbers and rates of private-sector employees and employers in Oregon: who are currently covered by the FMLA (Size of Employer is 50+); who work for companies of 25-49 employees (Size of Employer is 25-49); and who work for companies of 25 or more employees (Size of Employer is 25+).

- 188,804 Oregonians work for companies with 25-49 employees. If it were not for the Oregon FMLA, they would not now have the right to take FMLA leave.
- 16.4% of Oregon's private *employees* work for companies with 25-49 employees -- the 5th highest rate in the nation and the highest in the Pacific region.
- 10.7% of all Oregon's private *employers* have 25 or more employees -- above the Pacific regional average of 10.0% but below the national rate of 11.2%.

### FMLA Coverage in Oregon

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 554,883                           | 188,804 | 743,687     |
| % Employees covered | 48.3%                             | 16.4%   | 64.7%       |
| # Employers covered | 3,892                             | 6,277   | 10,169      |
| % Employers covered | 4.1%                              | 6.6%    | 10.7%       |

(over)



# Family and Medical Leave

PENNSYLVANIA  
MIDDLE ATLANTIC REGION<sup>1</sup>

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## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN PENNSYLVANIA

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The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN PENNSYLVANIA?

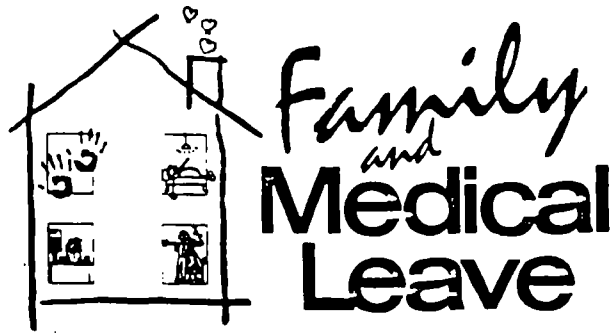
The chart below shows the numbers and rates of private-sector employees and employers in Pennsylvania: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 550,309 more Pennsylvanians (12.7% of the private workforce) would have the right to take FMLA leave. Pennsylvania would rank 7th in the nation for the number of people newly covered by the FMLA.
- 73.9% of all Pennsylvania's private *employees* would be covered by the FMLA -- the 8th highest rate in the nation and the highest in the Middle Atlantic region.
- An additional 6.8% of Pennsylvania's private *employers* would be covered by the FMLA -- the 7th highest increase in the country (along with Minnesota, Hawaii, and Illinois), but only 0.4% higher than the national average of 6.4%.

### FMLA Coverage in Pennsylvania

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
| Private Sector      | 50+                               | 25-49   | Total (25+) |
| # Employees covered | 2,661,379                         | 550,309 | 3,211,688   |
| % Employees covered | 61.2%                             | 12.7%   | 73.9%       |
| # Employers covered | 14,901                            | 18,097  | 32,998      |
| % Employers covered | 5.6%                              | 6.8%    | 12.4%       |

(over)



RHODE ISLAND  
NEW ENGLAND REGION<sup>1</sup>

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## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN RHODE ISLAND

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The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN RHODE ISLAND?

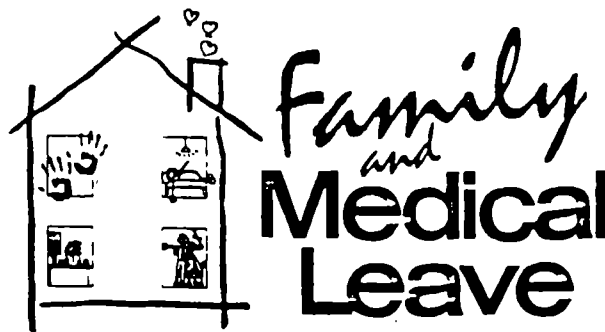
The chart below shows the numbers and rates of private-sector employees and employers in Rhode Island: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 51,603 more people in Rhode Island (14.1% of the private workforce) would have the right to take FMLA leave.
- 69.7% of all Rhode Island's private *employees* would be covered by the FMLA -- below the national rate of 71.3%, but above the New England regional average rate of 67.6%.
- The total percentage of Rhode Island's private *employers* covered by the FMLA would be 9.7% -- the 2nd lowest rate in the New England region.

### FMLA Coverage in Rhode Island

|                     | Size of Employer (# of employees) |        |             |
|---------------------|-----------------------------------|--------|-------------|
| Private Sector      | 50+                               | 25-49  | Total (25+) |
| # Employees covered | 202,889                           | 51,603 | 254,492     |
| % Employees covered | 55.6%                             | 14.1%  | 69.7%       |
| # Employers covered | 1,247                             | 1,718  | 2,965       |
| % Employers covered | 4.1%                              | 5.6%   | 9.7%        |

(over)



SOUTH CAROLINA  
SOUTH ATLANTIC REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN SOUTH CAROLINA

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN SOUTH CAROLINA?

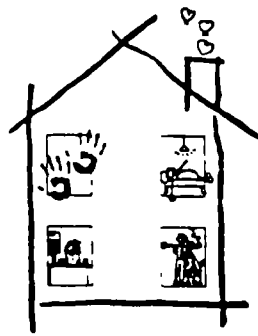
The chart below shows the numbers and rates of private-sector employees and employers in South Carolina: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 178,297 more South Carolinians (13.5% of the private workforce) would have the right to take FMLA leave.
- 72.2% of all South Carolina's private *employees* would be covered by the FMLA -- the 14th highest rate in the nation (tied with Minnesota).
- An additional 6.7% of South Carolina's private *employers* would be newly covered by the FMLA-- close to the national increase of 6.4%.

### FMLA Coverage in South Carolina

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
| Private Sector      | 50+                               | 25-49   | Total (25+) |
| # Employees covered | 775,161                           | 178,297 | 953,458     |
| % Employees covered | 58.7%                             | 13.5%   | 72.2%       |
| # Employers covered | 4,533                             | 5,841   | 10,374      |
| % Employers covered | 5.2%                              | 6.7%    | 11.9%       |

(over)



# Family and Medical Leave

SOUTH DAKOTA  
NORTH CENTRAL REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN SOUTH DAKOTA

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN SOUTH DAKOTA?

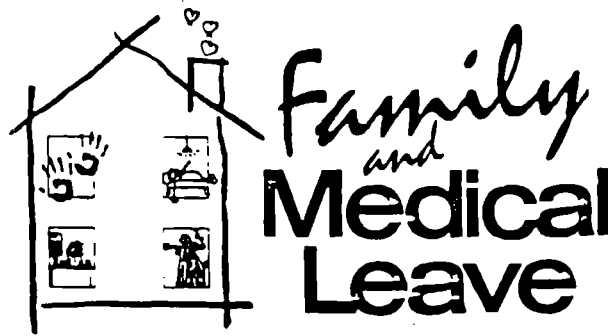
The chart below shows the numbers and rates of private-sector employees and employers in South Dakota: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 38,638 more South Dakotans would have the right to take FMLA leave.
- An additional 14.8% of South Dakota's private workforce would be newly covered by the FMLA -- above both the North Central regional average of 14.7% and the national average of 13.8%.
- An additional 5.6% of South Dakota's private *employers* would be covered by the FMLA -- among the 10 states in the nation with the lowest increases in covered *employers* and the lowest increase in the North Central region.

### FMLA Coverage in South Dakota

|                     | Size of Employer (# of employees) |        |             |
|---------------------|-----------------------------------|--------|-------------|
|                     | 50+                               | 25-49  | Total (25+) |
| Private Sector      |                                   |        |             |
| # Employees covered | 124,236                           | 38,638 | 162,874     |
| % Employees covered | 47.7%                             | 14.8%  | 62.5%       |
| # Employers covered | 876                               | 1,293  | 2,169       |
| % Employers covered | 3.8%                              | 5.6%   | 9.4%        |

(over)



TENNESSEE  
MIDDLE SOUTH REGION<sup>1</sup>

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## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN TENNESSEE

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The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN TENNESSEE?

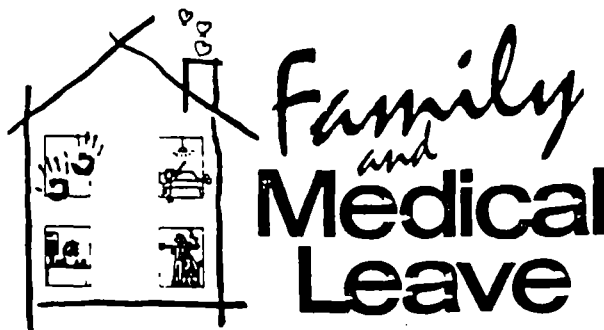
The chart below shows the numbers and rates of private-sector employees and employers in Tennessee: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 243,512 more people in Tennessee would have the right to take FMLA leave -- the most people newly covered in the Middle South region.
- 76.2% of all Tennessee's private *employees* would be covered by the FMLA -- the highest rate in the nation.
- An additional 7.1% of Tennessee's private *employers* would be covered by the FMLA, placing Tennessee among the 10 states in the nation with the highest increases in the percentage of *employers* covered.

### FMLA Coverage in Tennessee

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 1,317,737                         | 243,512 | 1,561,249   |
| % Employees covered | 64.3%                             | 11.9%   | 76.2%       |
| # Employers covered | 6,850                             | 8,011   | 14,861      |
| % Employers covered | 6.1%                              | 7.1%    | 13.2%       |

(over)



TEXAS  
SOUTH CENTRAL REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN TEXAS

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN TEXAS?

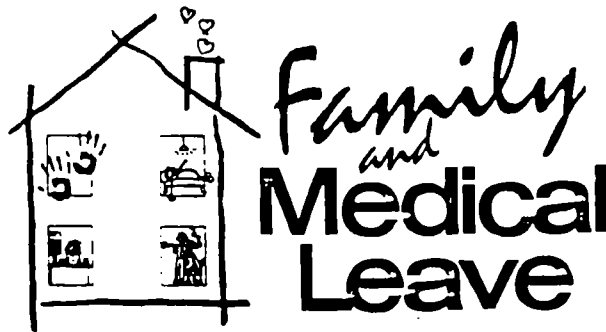
The chart below shows the numbers and rates of private-sector employees and employers in Texas: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 918,792 more Texans (14.4% of the private workforce) would have the right to take FMLA leave. After California, Texas would rank 2nd in the nation for the number of people newly covered by the FMLA.
- 71.5% of all Texas' private *employees* would be covered by the FMLA -- the highest rate in the South Central region and just over the national rate of 71.3%.

### FMLA Coverage in Texas

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 3,634,746                         | 918,792 | 4,553,538   |
| % Employees covered | 57.1%                             | 14.4%   | 71.5%       |
| # Employers covered | 21,965                            | 30,465  | 52,430      |
| % Employers covered | 5.4%                              | 7.4%    | 12.8%       |

(over)



UTAH  
MOUNTAIN REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN UTAH

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN UTAH?

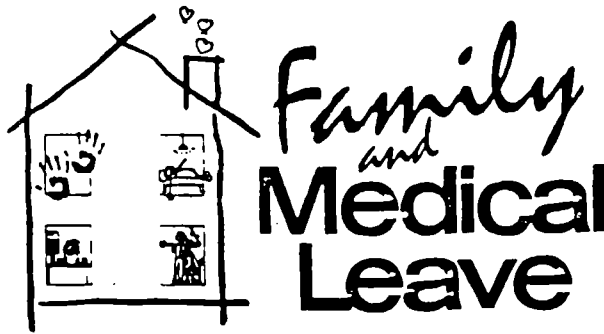
The chart below shows the numbers and rates of private-sector employees and employers in Utah: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 107,411 more people in Utah would have the right to take FMLA leave.
- 15.3% of Utah's private *employees* would be newly covered by the FMLA -- only 11 states would have higher increases in the percentage of covered *employees*.
- An additional 7.5% of Utah's private *employers* would be covered by the FMLA -- the highest increase in the nation (along with Indiana and Wisconsin) and the highest in the Mountain region, but only 1.1% higher than the national average of 6.4%.

### FMLA Coverage in Utah

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
| Private Sector      | 50+                               | 25-49   | Total (25+) |
| # Employees covered | 369,664                           | 107,411 | 477,075     |
| % Employees covered | 52.8%                             | 15.3%   | 68.1%       |
| # Employers covered | 2,351                             | 3,591   | 5,942       |
| % Employers covered | 4.9%                              | 7.5%    | 12.4%       |

(over)



VERMONT  
NEW ENGLAND REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN VERMONT

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN VERMONT?<sup>3</sup>

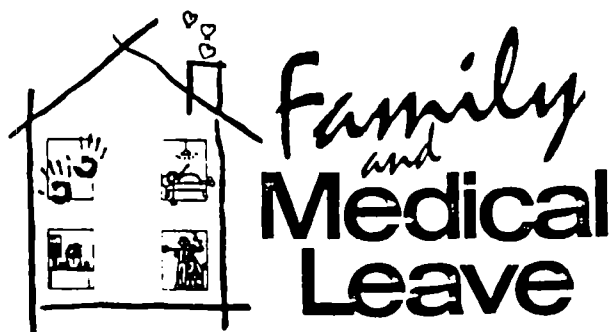
The chart below shows the numbers and rates of private-sector employees and employers in Vermont: who are currently covered by the federal FMLA (Size of Employer is 50+); who work for companies of 25-49 employees (Size of Employer is 25-49); and who work for companies of 25 or more employees (Size of Employer is 25+).

- 34,114 people in Vermont work for companies of 25-49 employees. If it were not for the Vermont FMLA, they would not have the right to take FMLA.
- 15.7% of Vermont's private *employees* work for companies with 25-49 employees -- the 9th highest rate in the nation and the highest in the New England region.
- 8.9% of all Vermont's private *employers* have 25 or more employees -- the 3rd lowest rate in the nation (along with Idaho) and the lowest in the New England region.

### FMLA Coverage in Vermont

|                     | Size of Employer (# of employees) |        |             |
|---------------------|-----------------------------------|--------|-------------|
| Private Sector      | 50+                               | 25-49  | Total (25+) |
| # Employees covered | 98,531                            | 34,114 | 132,645     |
| % Employees covered | 45.2%                             | 15.7%  | 60.9%       |
| # Employers covered | 669                               | 1,154  | 1,823       |
| % Employers covered | 3.3%                              | 5.6%   | 8.9%        |

(over)



VIRGINIA  
SOUTH ATLANTIC REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN VIRGINIA

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN VIRGINIA?

The chart below shows the numbers and rates of private-sector employees and employers in Virginia: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 353,421 Virginians would have the right to take FMLA leave. Only 11 other states in the nation would have more people newly covered by the FMLA.
- 14.8% of Virginia's private *employees* would be newly covered by the FMLA -- the 2nd highest increase in the percentage of covered *employees* in the South Atlantic region.
- 11.9% of all Virginia's private *employers* would be covered by the FMLA -- only 0.5% above the South Atlantic regional average of 11.4%.

### FMLA Coverage in Virginia

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
| Private Sector      | 50+                               | 25-49   | Total (25+) |
| # Employees covered | 1,320,926                         | 353,421 | 1,674,347   |
| % Employees covered | 55.3%                             | 14.8%   | 70.1%       |
| # Employers covered | 8,189                             | 11,670  | 19,859      |
| % Employers covered | 4.9%                              | 7.0%    | 11.9%       |

(over)



WASHINGTON  
PACIFIC REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN WASHINGTON

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN WASHINGTON?

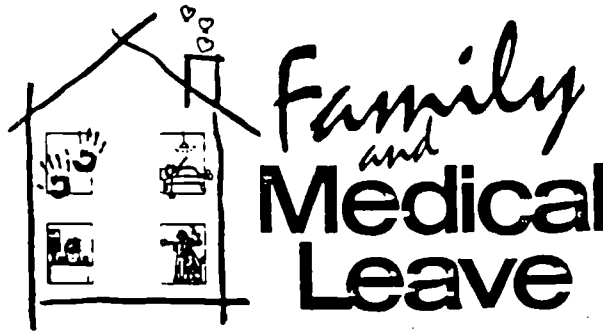
The chart below shows the numbers and rates of private-sector employees and employers in Washington: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 275,292 more Washingtonians would have the right to take FMLA leave.
- An additional 14.7% of Washington's private workforce would be newly covered by the FMLA -- well above the national average of 13.8%.
- An additional 5.4% of Washington's private *employers* would be covered by the FMLA -- the 2nd lowest increase in the nation (along with Maine) and the lowest in the Pacific region.
- The total percentage of Washington's private *employers* covered by the FMLA would be 9.1%-- among the 10 lowest rates in the nation.

### FMLA Coverage in Washington

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
| Private Sector      | 50+                               | 25-49   | Total (25+) |
| # Employees covered | 988,149                           | 275,292 | 1,263,441   |
| % Employees covered | 52.9%                             | 14.7%   | 67.6%       |
| # Employers covered | 6,303                             | 9,081   | 15,384      |
| % Employers covered | 3.7%                              | 5.4%    | 9.1%        |

(over)



WEST VIRGINIA  
SOUTH ATLANTIC REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN WEST VIRGINIA

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN WEST VIRGINIA?

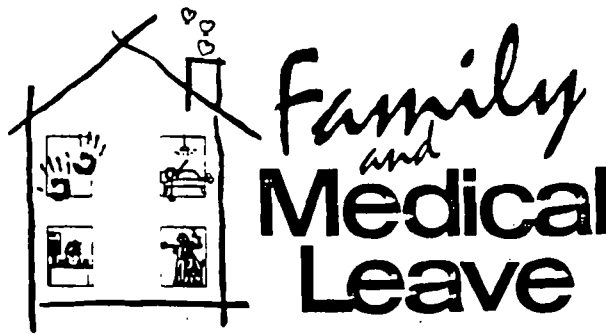
The chart below shows the numbers and rates of private-sector employees and employers in West Virginia: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 81,063 West Virginians would have the right to take FMLA leave.
- An additional 15.8% of West Virginia's private *employees* would be covered by the FMLA -- the 8th highest increase in the nation (along with Louisiana) and the highest in the South Atlantic region.
- 64.2% of all West Virginia's private *employees* would be covered by the FMLA -- the lowest rate in the South Atlantic region and among the lowest 10 in the country.

### FMLA Coverage in West Virginia

|                     | Size of Employer (# of employees) |        |             |
|---------------------|-----------------------------------|--------|-------------|
|                     | 50+                               | 25-49  | Total (25+) |
| Private Sector      |                                   |        |             |
| # Employees covered | 248,571                           | 81,063 | 329,634     |
| % Employees covered | 48.4%                             | 15.8%  | 64.2%       |
| # Employers covered | 1,712                             | 2,687  | 4,399       |
| % Employers covered | 4.1%                              | 6.4%   | 10.5%       |

(over)



WISCONSIN  
MIDWEST REGION<sup>1</sup>

## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN WISCONSIN

The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN WISCONSIN?

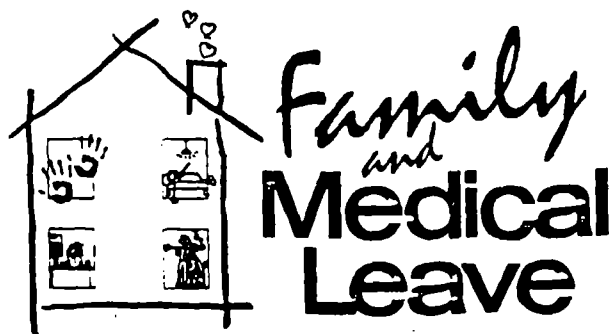
The chart below shows the numbers and rates of private-sector employees and employers in Wisconsin: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 288,330 more people in Wisconsin (13.8% of the private workforce) would have the right to take FMLA leave.
- 73.4% of all Wisconsin's private *employees* would be covered by the FMLA -- the 8th highest rate in the country (along with Indiana).
- An additional 7.5% of Wisconsin's private *employers* would be covered by the FMLA -- the highest increase in the nation (along with Indiana and Utah), but only 0.3% higher than the Midwest regional average of 7.2%.

### FMLA Coverage in Wisconsin

|                     | Size of Employer (# of employees) |         |             |
|---------------------|-----------------------------------|---------|-------------|
|                     | 50+                               | 25-49   | Total (25+) |
| Private Sector      |                                   |         |             |
| # Employees covered | 1,244,222                         | 288,330 | 1,532,552   |
| % Employees covered | 59.6%                             | 13.8%   | 73.4%       |
| # Employers covered | 7,285                             | 9,504   | 16,789      |
| % Employers covered | 5.8%                              | 7.5%    | 13.3%       |

(over)



WYOMING  
MOUNTAIN REGION<sup>1</sup>

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## EXPANDING THE FMLA TO COVER BUSINESSES WITH 25-49 EMPLOYEES IN WYOMING

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The Family and Medical Leave Act (FMLA) now gives millions of Americans the right to take up to 12 weeks per year of unpaid, job-protected leave to care for new babies, or seriously ill family members, or to recover from their own serious illnesses. But nationwide 42.5% of private-sector employees are not covered by the FMLA, because they work for businesses with fewer than 50 employees -- the coverage threshold set by the 1993 law.

Expanding the law to cover businesses with 25-49 employees would give 13 million more Americans the right to take FMLA leave. The Women's Legal Defense Fund (WLDF) has analyzed the most recent available employment data<sup>2</sup> to show what this expansion would mean for all 50 states and the District of Columbia.

### WHAT DIFFERENCE WOULD THIS EXPANSION MAKE IN WYOMING?

The chart below shows the numbers and rates of private-sector employees and employers in Wyoming: who are currently covered by the FMLA (Size of Employer is 50+); who would be *newly* covered by an expanded FMLA (Size of Employer is 25-49); and who would be covered after FMLA expansion (Size of Employer is 25+). If the expansion were adopted:

- 27,848 more people in Wyoming would have the right to take FMLA leave.
- An additional 18.6% of Wyoming's private *employees* would be covered by the FMLA -- the highest increase the nation and the highest in the Mountain region.
- 51.4% of all Wyoming's private *employees* would be covered by the FMLA -- the lowest rate in the nation.
- After Alaska, Wyoming would have the 2nd fewest *employers* newly covered by the FMLA in the nation (949).

### FMLA Coverage in Wyoming

|                     | Size of Employer (# of employees) |        |             |
|---------------------|-----------------------------------|--------|-------------|
|                     | 50+                               | 25-49  | Total (25+) |
| Private Sector      |                                   |        |             |
| # Employees covered | 48,991                            | 27,848 | 76,839      |
| % Employees covered | 32.8%                             | 18.6%  | 51.4%       |
| # Employers covered | 428                               | 949    | 1,377       |
| % Employers covered | 2.5%                              | 5.6%   | 8.1%        |

(over)

cc Jan, Nicole  
POTUS  
P. 2  
file

## BARBARA DAFOE WHITEHEAD

15 FOREST EDGE ROAD • AMHERST, MA • 01002  
PHONE: (413) 549-6112 • FAX: (413) 549-1835

Memo To: Sidney Blumenthal

From: Barbara Whitehead

Re: A strategy for using family and medical leave to win the  
childcare debate

Date: January 12, 1998

This memo is inspired by a brief parting exchange I had with the President. I told him that a recent study in the medical journal *Pediatrics* supports his hugely popular family and medical leave program and also bears upon the new childcare proposal. Its bottom line finding: for infants, breast milk acts as brain food, boosting IQ and school performance. (More on this later.)

I'm also attaching a piece that ran in the *Wall Street Journal* on the day after the dinner. An attack on institutional child care in general, it rests heavily on research evidence of the risks of institutional care for children in the first six to twelve months of life.

As it happens, the evidence for the risks to infants is quite robust. And now pediatric evidence on the benefits of maternal care for infants is appearing. For the President's childcare initiative, this poses both peril and opportunity.

The peril is this: The opposition will try to use the recent research on breastfeeding and infant brain development to discredit the proposal. It will argue that the President's proposal is at odds with what the White House itself was telling us last April about early brain development. It will say that the proposal is not designed with the best interests of infants in mind. It will say that the proposal rewards women who work during the early months of a child's life, but neglects those who choose to remain at home literally to pour their mother's milk into their child's cognitive capacity. And as the recent NBC/WSJ poll shows – granted, your polls may tell a different story

– the public's view of child care (and especially infant care, I suspect) is ambivalent.

The opportunity is this: The President can preempt the opposition by adding a feature to his State of the Union exposition of his child care plan. The purpose of the addition: affirming the principle that working mothers of newborns deserve the opportunity to nurture their infants before they return to their place of employment.

The policy vehicle for providing this opportunity already exists: The Family and Medical Leave Act. It now offers up to 12 weeks of unpaid leave for varied family purposes. What if parents of newborns were provided with more than 12 weeks of unpaid leave? Ideally the number of weeks might rise incrementally to 36 weeks, but you know better than I how many weeks might be appropriate for the first incremental expansion.

This puts the President on the offense and keeps him there. He can say:

I have long recognized the importance of giving parents the option of caring for newborn babies at home. This is one reason why I faced down Republican opposition and signed the Family and Medical Leave Act. The latest research on infant well-being only confirms the importance of providing new parents with this opportunity.

Thus, he can use a wildly popular achievement not only as the policy vehicle but also for rhetorical and political leverage. This puts the opposition in a corner: You'll get the option of at-home maternal care for infants in the early months of life, but the price you pay for it is an expansion of a signature achievement of the Clinton administration (and one you fought against.)

This also enables the President to present his childcare initiative in a way that is sensitive to the developmental needs of the child: expanded family leave for working parents of infants, followed by quality day care for children beyond infancy, followed by afterschool care for school-age kids. Again the emotional and cognitive needs of children – rather than what some might disparage as the convenience desires of parents and employers – are the linchpin rationale.

Of course, some parents, especially single mothers who are leaving welfare for work, will have to rely on childcare for their infants and toddlers. (Some states require new mothers to return to school or work as early as twelve weeks after the birth of a baby, I believe.) But the point remains that the President has already fought, against Republican opposition, for the right of working parents to stay at home with a newborn. Now he can call for an expansion of that right.

.....  
A brief summary of the attached article:

This well-designed longitudinal study by New Zealand researchers indicates that children who are breast fed for up to eight months have higher IQs and better school performance than those who are fed infant formula. The researchers hypothesize that a fatty acid present in breast milk but not in formula may be responsible for the advantage. Another hypothesis is that eight months of breastfeeding makes for stronger attachment between infant and mother, and stronger attachment enhances cognitive and emotional functioning. Importantly, the positive effects of breastfeeding persist over time. Partly in response to the research and partly in response to clinical experience, the American Academy of Pediatrics recently revised its advisory on breastfeeding and called for a full year of maternal breastfeeding wherever possible.

THE WALL STREET JOURNAL THURSDAY, JANUARY 8, 1998

# A Dangerous Experiment in Child-Rear

By ANDREW PEYTON THOMAS

A harmful social phenomenon is fast gaining popular acceptance—a vice so common that the problem is rarely even discussed, and almost never forthrightly. A new Census Bureau study makes clear the magnitude of the problem. Examining nearly 57,000 households across the U.S., the bureau found that 65% of new mothers return to the work force *within one year* of giving birth. In 1976, by contrast, the figure was only 31%. Ours is now a day-care culture. And the Clinton administration appears determined to keep it that way. Yesterday the president proposed a \$21.7 billion program of new spending and tax breaks to subsidize day care.

It is one thing for both parents to work outside the home when their kids are older. But for both parents in a majority of families to be employed before their children can even walk is startling. We are witnessing a momentous experiment in the raising of children. Yet there are few stirrings in the culture suggesting anything but a complacent acceptance of this revolution in child rearing. Few political, cultural or religious leaders have spoken out against the growing practice of abandoning infants to paid strangers. Yet recent research, not to mention common sense, tells us that this quiet overhaul of American families is a profound tragedy whose bitter fruit will be reaped for decades to come.

## 'Psychological Thalidomide'

Social science confirms that babies raised in day-care centers and similar institutions are often emotionally maladjusted. Child development expert Edward Zigler of Yale has gone so far as to call day care "psychological thalidomide." Research beginning in the early 1970s has found that such children are more likely to be violent, antisocial and resistant to basic discipline. A 1974 study in the *Journal of Developmental Psychology* reported that children who entered day care before their first birthday were "significantly more aggressive" and more physically and verbally abusive of adults than other children.

A 1986 study by Ron Haskins in *Child Development*, another scholarly journal, compared two groups of day-care children and found that those who had spent more time in day care suffered from proportionately greater ill effects, regardless of the quality of care. Teachers were more likely to rate these early-care children as "having aggressiveness as a serious deficit of social behavior." Similarly, Jay Belsky of

Pennsylvania State University warns, based on his research, that full-time day-care babies are at risk of "heightened aggressiveness, non-compliance and withdrawal in the preschool and early school years."

Other studies have concluded that lengthy stays in day-care centers impair children's mental ability. In 1995, the National Institute of Mental Health published

lieve that a stranger can care for your child as well as you can?

Defenders of day care often say it is essential for women's equality in the work force. This simplistic notion, however, ignores the experiences of real men and women. Often it is fathers who are the biggest fans of day care. They like the extra income their wives can bring in by depositing children in institutions during the

*Social science confirms that children raised in day-care centers and similar institutions are often emotionally maladjusted and mentally impaired.*

a joint U.S.-Israeli study that found children raised in Israeli communes known as *kibbutzim*, who received 24-hour day care, were at significantly greater risk of developing schizophrenia and other serious mental disorders. Last April the National Institute of Child Health and Human Development released a long-term study of 1,364 children from 10 states. The study,



*They don't belong in day care.*

which examined children from diverse ethnic and socioeconomic backgrounds, reported that a child's placement in day care provided a "significant prediction" of poorer mother-child interaction and reduced cognitive and linguistic development.

These are remarkable findings, especially given that social scientists, in the main, hold no brief for traditional family values. But if you are a parent skeptical of this social science, ask yourself this straightforward question: Do you truly be-

lieve that a stranger can care for your child as well as you can?

Americans today are sophisticated at rationalizing vice, but the justifications offered for day care are surprisingly thin. The most common excuse is that young couples need the extra money. But U.S. News & World Report found that the median income for two-earner families is \$56,000, compared with \$32,000 for male-breadwinner homes. At neither salary is a four-member family lacking for necessities. Per capita disposable income, adjusting for inflation, is more than twice as high today as it was in 1950, and three times as high as in 1930. Families are spending much of this money on luxuries like bigger homes (new homes are 38% larger now than in 1970)—not on their kids.

The notorious au pair trial presented this reality in stark relief: Two physicians imported a teenage indentured servant, paid her slave wages, entrusted her with raising their two children and then were outraged when many Americans did not entirely sympathize with them after one of the children died in the young woman's care.

Childhood was never perfect. Small children were once forced to sweep chimneys and pick grapes, and often children lost parents entirely to disease and war. But that is precisely why the destruction of the 1950s nuclear family is so tragic. The 1950s set a standard for family life that probably has never been equaled anywhere. Children were raised by two parents in a safe, comfortable home, and Mom was almost always there to look after them when they were young. The self-centered popular culture unleashed in the 1960s mocked and ultimately shattered this paradigm. Now we are institutionalizing

the worst aspects of this cultural revolution by warehousing infants merely so that we might accumulate ever-nicer possessions.

If these dire trends are to be reversed, our leaders must assert themselves. To begin with, religious leaders should decry the selfishness and materialism that lead parents to put their careers ahead of their children.

Politicians always do well to leave moral condemnations to the pulpit, and such a sermon would not win them many votes today. Yet they would likely become heroes to many working mothers if, instead of simply ignoring this issue, they handled it with sincerity and skill. A Roper poll this year reported that 75% of Americans think that mothers who work outside the home and have children under age three threaten family values. A survey of American women this year by the Pew Center found that 81% thought the job of mothering is more difficult today than it was 20 or 30 years ago, and 56% thought they did a less capable job than their own mothers. Even among women who work full time, only 41% were confident that their situation was good for their children.

#### Can't Have It All

There are several policy changes that elected officials should consider. The federal child care tax credit, which subsidizes day care at the expense of stay-at-home parents, should be reassessed. In a growing number of jurisdictions, judges are pressuring divorced mothers, even those with small children, to go to work, by reducing child-support payments based on their potential income. This practice should be ended legislatively. Lawmakers should also consider offering tax credits for businesses that accommodate mothers or fathers who leave the work force during their child's critical first five years. And, of course, Congress should reject Mr. Clinton's ill-considered plan to subsidize day care.

Above all, we must see through the canard that tells us that when it comes to the ancient clash between career and family, we are now clever enough to be able to "have it all." For when we knowingly sacrifice our children's well-being for the sake of money or careers, are we even truly worthy of our children's love?

---

*Mr. Thomas is an attorney in Phoenix and the author of "Crime and the Sacking of America: The Roots of Chaos" (Brassay's, 1994).*

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PEDIATRICS Vol. 101 No. 1 January 1998, p. e9

## ELECTRONIC ARTICLE:

**Breastfeeding and Later Cognitive and Academic Outcomes**

L. John Horwood and David M. Fergusson

From the Christchurch Health and Development Study, Christchurch School of Medicine, Christchurch, New Zealand.

► **ABSTRACT**

**Objective.** This study examines the associations between duration of breastfeeding and childhood cognitive ability and academic achievement over the period from 8 to 18 years using data collected during the course of an 18-year longitudinal study of a birth cohort of >1000 New Zealand children.

**Method.** During the period from birth to age 1 year, information was collected on maternal breastfeeding practices. Over the period from 8 to 18 years, sample members were assessed on a range of measures of cognitive and academic outcomes including measures of child intelligence quotient; teacher ratings of school performance; standardized tests of reading comprehension, mathematics, and scholastic ability; pass rates in school leaving examinations; and leaving school without qualifications.

**Results.** Increasing duration of breastfeeding was associated with consistent and statistically significant increases in 1) intelligence quotient assessed at ages 8 and 9 years; 2) reading comprehension, mathematical ability, and scholastic ability assessed during the period from 10 to 13 years; 3) teacher ratings of reading and mathematics assessed at 8 and 12 years; and 4) higher levels of attainment in school leaving examinations. Children who were breastfed for  $\geq 8$  months had mean test scores that were between 0.35 and 0.59 SD units higher than children who were bottle-fed.

Mothers who elected to breastfeed tended to be older; better educated; from upper socioeconomic status families; were in a two-parent family; did not smoke during pregnancy; and experienced above average income and living standards. Additionally, rates of breastfeeding increased with increasing birth weight, and first-born children were more likely to be breastfed.

Regression adjustment for maternal and other factors associated with breastfeeding reduced the associations between breastfeeding and cognitive or educational outcomes. Nonetheless, in 10 of the 12 models, fitted duration of breastfeeding remained a significant predictor of later cognitive or educational outcomes. After adjustment for confounding factors, children who were breastfed for  $\geq 8$  months had mean test scores that were between 0.11 and 0.30 SD units higher than those not breastfed.

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**Conclusions.** It is concluded that breastfeeding is associated with small but detectable increases in child cognitive ability and educational achievement. These effects are 1) pervasive, being reflected in a range of measures including standardized tests, teacher ratings, and academic outcomes in high school; and 2) relatively long-lived, extending throughout childhood into young adulthood.

**Key words:** *breastfeeding, cognitive ability, academic achievement, longitudinal study.*

## ► INTRODUCTION

Over the last 2 decades, there has been an accumulation of evidence suggesting that breastfeeding may lead to small but detectable improvements in childhood cognitive ability or educational achievement. Three lines of evidence support this conclusion.

First, evidence from longitudinal studies of general child samples<sup>1</sup> has shown repeatedly that children who are breastfed show small increases over bottle-fed children in mean test scores on measures of intelligence and academic achievement, with these differences persisting after control for confounding factors. Typically, these studies suggest that in comparison with bottle-fed children, children who are breastfed for a minimum of 3 to 5 months have an advantage of between 0.15 and 0.25 SD units in mean test performance, even after control for confounders.<sup>1</sup>

Second, data from an experimental study of feeding practices among preterm infants showed that children whose mothers chose to express their own milk to feed their infant had higher developmental scores at 18 months and higher intelligence quotient (IQ) assessed at 7.5 to 8.0 years than those whose mothers chose not to do so.<sup>7,8</sup> These differences persisted after control for confounding factors, and there was evidence of dose-response relationships between the amount of breast milk supplied and developmental or cognitive gains. These children had taken part in a randomized trial of nutrition in neonatal diet. Among the children whose mothers had chosen not to express their breast milk, those randomized to donor breast milk, with low nutrient content, performed as well as those fed with nutrient supplemented preterm formula and significantly better than those fed a standard term formula.<sup>2</sup> These data raise the possibility that some components of breast milk ameliorate the effect of poor nutrition.<sup>8</sup>

Finally, neurodevelopmental research has suggested that the factors in breast milk that may be responsible for the improved cognitive abilities of breastfed children may involve long chain polyunsaturated fatty acids and, particularly, docosahexaenoic acid (DHA),<sup>10</sup> with some clinical studies in which infant formula was supplemented with DHA suggesting possible improvements in visual acuity and cognitive ability in preterm infants given the DHA-supplemented formula.<sup>13</sup>

Collectively, the evidence from longitudinal research, clinical trials, and neurodevelopmental research is beginning to provide a compelling case for the view that breastfeeding may have longer-term effects on individual cognitive ability and educational achievement. There are, nonetheless, a number of issues about the associations between breastfeeding and cognitive outcomes that require clarification.

One important issue concerns the extent to which the benefits of breastfeeding on cognitive development persist beyond middle childhood. To date, most studies have examined these benefits in preschool children<sup>1,4,2,16</sup> or in children studied in the early school years.<sup>1,6,8,17,18</sup> Less is known about the extent to which the benefits of breastfeeding on cognitive ability extend into adolescence and young adulthood. This issue is clearly important because it is possible that the benefits of breastfeeding on cognitive development may wash out over time, with these benefits being confined to only a relatively short period of the individual's life.

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A second issue concerns the assessment of educational achievement. To date, only a few studies appear to have assessed measures of academic achievement, as opposed to measures of cognitive ability,<sup>1,2,6</sup> and of these, the majority have used methods of standardized testing to assess educational achievement. Although such measures have obvious psychometric advantages reflected by their standardization, reliability, and validity data, the extent to which performance on standardized tests reflects real life academic achievement remains to be assessed. For these reasons, it would be desirable for cognitive benefits of breastfeeding to be assessed using a range of indices that could include performance on standardized tests, teacher-based evaluations of academic achievement, and levels of achievement in school examinations or in tertiary education.

To address the issues above, this paper reports on the results of an 18-year longitudinal study of the relationships between infant feeding practices and later cognitive ability and academic achievement in a birth cohort of >1000 New Zealand children studied from birth to age 18 years. The design of this study made it possible to examine 1) the extent to which benefits of breastfeeding on cognitive ability and achievement were evident throughout middle childhood, adolescence, and into young adulthood; and 2) the extent to which breastfeeding was related to a range of indices of academic achievement that included performance on standardized tests, teacher ratings of academic achievement, and levels of success in examinations on leaving school.

## ► METHODS

The data were gathered during the course of the Christchurch Health and Development Study. The Christchurch Health and Development Study is a longitudinal study of a birth cohort of 1265 Christchurch, New Zealand, children born in 1977. The cohort was an unselected population sample comprising all children born in all hospitals in the Christchurch urban region during the period from April 15, 1977 to August 5, 1977. These children have been studied at birth, at 4 months, at 1 year, at annual intervals to age 16 years, and again at age 18, using information gathered from a combination of sources including parental interview, teacher report, standardized testing and interviews with the children, and medical records.<sup>12</sup>

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### Measures Used in the Study

**Breastfeeding** When children surveyed were 4 months and 1 year of age, mothers were questioned in detail concerning breastfeeding practices, use of milk formulas, and other aspects of infant diet. Maternal reports were supplemented by evidence on breastfeeding practices recorded in the developmental records completed by community health nurses. In addition, information was available from medical records of the mother's breastfeeding practices in the maternity unit at the time of the child's birth. Using this information, the following measures of breastfeeding were constructed. The first measure was duration in months for which the child was breastfed. For the purposes of data display, this measure has been classified into four groups: child was not breastfed; child was breastfed for <4 months; child was breastfed for 4 to 7 months; child was breastfed for ≥8. The second measure was duration in months of exclusive breastfeeding. This was defined as the number of months, to age 4 months, that the child was reported to have been breastfed without receiving any additional cow's milk, milk formula preparation, or solid food.

Although the two measures of breastfeeding were derived independently and used different criteria, they proved to be highly correlated ( $r = 0.84$ ;  $P < .001$ ).

### Measures of Cognitive Ability and Academic Achievement

To describe the child's cognitive ability and academic achievement during the period from 8 to 18 years of age, the following measures were selected.

**Measures of Cognitive Ability** At ages 8 and 9 years, children were administered the Revised Wechsler Intelligence Scale for Children (WISC-R).<sup>20</sup> For the purposes of the present analysis, the child's total IQ scores were used. The reliabilities of these scores, assessed using split-half methods, were .93 at age 8 years and .95 at age 9 years.

**Teacher Ratings of School Performance** When children were 8 and 12 years of age, teacher ratings of the child's performance in reading and mathematics were obtained. Teachers were asked to rate the child's performance in each area relative to other children of the same age, and ratings were made on a five-point scale ranging from 1 = very poor to 5 = very good.

**Standardized Tests of Achievement** During the period from 10 to 13 years of age, children were administered a series of standardized tests of achievement including 1) tests of reading comprehension based on the Progressive Achievement Test of Reading Comprehension,<sup>21</sup> administered at ages 10 and 12 years; 2) tests of mathematical reasoning based on the Progressive Achievement Test of Mathematics,<sup>22</sup> administered at age 11 years; and 3) tests of Scholastic Abilities,<sup>23</sup> administered at age 13 years. The Test of Scholastic Abilities is a broad-based measure designed to assess those verbal and numerical reasoning abilities deemed to be requisite for success in academic aspects of the school curriculum.<sup>23</sup> The reliabilities of these measures, assessed using coefficient  $\alpha$ , ranged from .83 for the measures of reading comprehension to .87 for the measure of mathematical reasoning and .95 for the measure of scholastic ability.

**High School Outcomes** At 18 years of age, study participants were assessed on the following two measures of high school success. The first was the number of passing grades achieved in School Certificate examinations. School Certificate is a national series of examinations that New Zealand children may attempt at the end of their third year of high school. School Certificate examinations are the first of a series of public examinations that provide young people with the eligibility requirements to enter universities. Students typically undergo School Certificate at 15 or 16 years of age and attempt examinations in between four and six subjects. The results of School Certificate examinations are graded from A to E, with grades A, B, and C considered passing grades. The second measure was leaving school without qualifications. Students who had left school by age 18 without at least one passing grade in School Certificate were classified as having left school without qualifications.

### Confounding Factors

To control for potentially confounding and selection factors associated with breastfeeding, a range of measures of social, family, and other factors was selected from the database of the study. These measures were chosen on the basis of being known to be associated with the mother's breastfeeding history and/or with the cognitive and academic outcomes.

**Measures of Social and Family History** Maternal age at the time of the survey child's birth and maternal education at the time of the child's birth were the first two measures of social and family circumstances. Education was coded on a three-point scale reflecting the highest level of qualification obtained, with 1 = no formal qualifications, 2 = high school qualifications, and 3 = tertiary level qualifications. The third measure was family socioeconomic status at the time of the child's birth. This was assessed using the Elley/Irving scale of socioeconomic status for New Zealand.<sup>24</sup> This scale categorizes families into six classes on the basis of paternal occupation. The fourth measure was the

child's family placement at birth. This was a binary measure reflecting whether the child entered a single-parent family or a two-parent family at birth. The fifth measure was maternal smoking during pregnancy. This was a binary measure reflecting whether the mother smoked during pregnancy.

The sixth measure was family living standards (0 to 5 years). Each year until survey children were 5 years of age, survey interviewers were asked to rate the family's living standards on a five-point scale ranging from 1 = very good to 5 = very poor. These ratings were summed and then averaged over the 5-year period to provide a global measure of the general quality of living standards experienced by each family during this period. The seventh measure was averaged family income (0 to 5 years). Each year, estimates of the family's gross annual income were obtained from parental report. To provide a measure of the average level of income available to each family for the period from the child's birth to age 5 years, the income estimates for each year were first recoded into decile categories and the resulting measures then averaged over the 5-year period to produce a measure of the family's averaged income decile rank.

**Measures of Perinatal Outcome** These were measures of gender, the child's birth weight in grams, the child's estimated gestation in weeks, and the child's birth order in the family.

### Sample Sizes

Although this study is based on a birth cohort of 1265 children, the sample sizes studied in this paper are smaller, ranging from 772 to 1064. There were three reasons for these variations in sample size. First, during the study period, there was attrition in the sample attributable to the combined effects of subject refusal, outmigration from New Zealand, and death. The result of this attrition was that by age 18, the number of cohort subjects had been reduced to 1025 subjects, with these subjects representing 81.0% of the original sample and 92.3% of the sample still in New Zealand. Second, for standardized testing, sample size was reduced further because of logistic reasons that made it necessary to confine standardized tests to the sample of children resident in the Canterbury region. Canterbury residents represented ~80% of the cohort in any year. Finally, there were small amounts of missing data for some measures. The sample sizes studied for each outcome measure are shown in Table 1.

**TABLE 1**

|                                                                                                  |                                                                                                                                                                                            |
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| <b>View this table:</b><br><a href="#">[in this window]</a><br><a href="#">[in a new window]</a> | <b>Associations Between Duration of Breastfeeding and Measures of Cognitive Ability, Teacher Ratings of School Performance, Standardized Tests of Achievement, and High School Success</b> |
|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

The variations in sample size raise the possibility that the results reported here could have been influenced by the effects of nonrandom sample attrition. However, whereas previous analyses of educational outcomes for this cohort suggest a slight bias in the samples available for analysis toward underrepresentation of children from more disadvantaged family backgrounds, analyses that incorporate statistical corrections for such bias produce conclusions essentially identical to those that do not incorporate such correction.<sup>25,26</sup> These findings suggest that sample loss processes are unlikely to influence the conclusions drawn from the analyses reported here.

## ► RESULTS

## Associations Between Duration of Breastfeeding and Measures of Cognitive Ability and School Achievement

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Table 1 presents the relationships between the duration of breastfeeding classified into four groups (not breastfed, breastfed <4 months, breastfed 4 to 7 months, breastfed ≥8 months) and mean scores on a series of measures of cognitive ability and school achievement including the WISC-R IQ test; teacher ratings of performance in reading and mathematics; standardized tests of reading comprehension, mathematics, and scholastic ability; and success in School Certificate examinations. Table 1 also shows the percentage of children in each group who left school without qualifications. For ease of comparison, all standardized tests have been scaled to a mean of 100 and an SD unit of 10, and teacher ratings have been scaled to a mean of 3 and an SD unit of 1. Each comparison is tested for statistical significance, with continuously distributed measures being tested by one-way analysis of variance and the dichotomous measure by the  $\chi^2$  test of independence. The strength of association between duration of breastfeeding and each outcome is described by the product moment correlation.

Table 1 shows clear and highly significant ( $P < .0001$ ) tendencies for increasing duration of breastfeeding to be associated with higher scores on measures of cognitive ability, teacher ratings of performance, standardized tests of achievement, better grades in School Certificate examinations, and lower percentages of children leaving school without qualifications. On average, children who were breastfed for ≥8 months 1) scored between 0.35 and 0.59 SD units higher on standardized tests of ability or achievement and teacher ratings of school performance than children who were not breastfed, and 2) were considerably less likely than nonbreastfed children to leave school without qualifications (relative risk = 0.38; 95% CI: 0.25, 0.59).

Tests of linearity applied to the associations in Table 1 suggested that in all cases, the association between duration of breastfeeding and the outcome measure was well approximated by a linear model. The product moment correlations between duration of breastfeeding and the outcome measures were generally similar across all outcomes, ranging from 0.14 to 0.24, with a median value of 0.20, suggesting that from middle childhood to the point of leaving school, there were moderate but consistent tendencies for increasing duration of breastfeeding to be associated with increasing levels of cognitive ability and academic success.

The pervasive associations found between breastfeeding and measures of cognitive ability and academic achievement were, in part, explained by the fact that the outcomes described in Table 1 were all significantly correlated. Correlations between different measures ranged from as high as 0.88 to as low as 0.32, with the median intercorrelation between measures being 0.61. Given the correlations between cognitive ability and academic achievement throughout childhood and into young adulthood, it is evident that if breastfeeding is associated with one of these outcomes, it is likely to be associated with others.

## Associations Between Duration of Breastfeeding and Social, Family, and Perinatal Factors

Table 2 shows the relationships between duration of breastfeeding and the potentially confounding social, family, and perinatal factors described in the "Methods." For ease of data display, measures of family factors and social background have been expressed as dichotomous variables. The rules for constructing these dichotomies are reported in Table 2. The significance of the associations between the duration of breastfeeding and the variables in Table 2 was tested using the  $\chi^2$  test of independence for dichotomous measures and one-way analysis of variance for continuously distributed variables (ie, birth weight, gestation).

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**TABLE 2**  
 Associations Between Duration of Breastfeeding and Social, Family, and Perinatal Factors

Table 2 shows clear tendencies for increasing duration of breastfeeding to be associated with decreasing levels of social and family disadvantage and improved child perinatal outcomes. In particular, there were detectable tendencies for women who did not breastfeed to be younger ( $P < .001$ ), to have poorer educational qualifications ( $P < .001$ ), to have smoked during pregnancy ( $P < .001$ ), to be more likely to come from families of lower socioeconomic status ( $P < .001$ ), families with below-average living standards ( $P < .001$ ), or families with low income ( $P < .001$ ); and to have been a single parent at the time of the survey child's birth ( $P < .001$ ). In addition, women who did not breastfeed were more likely to have had infants of lower birth weight ( $P < .001$ ) and to be primiparous ( $P < .001$ ). However, the duration of breastfeeding appeared to be unrelated to the child's gender ( $P > .30$ ) or gestation ( $P > .20$ ).

#### Associations Between Duration of Breastfeeding and Cognitive Outcomes After Adjustment for Confounding

To examine the associations between duration of breastfeeding and cognitive and educational outcomes after adjustment for the social, family, and perinatal factors presented in Table 2, the data were reanalyzed by fitting multiple regression models in which each outcome measure was modelled as a function of the duration of breastfeeding and the potentially confounding or selection factors. For continuously scored outcomes, multiple linear regression models were fitted, whereas for the dichotomous outcome, multiple logistic regression methods were used. In fitting these models, the social and family factors were not scaled as dichotomies as shown in Table 2, but rather were scored as described in "Methods."

From the parameters of the fitted regression models, estimates of the dose-response functions between the duration of breastfeeding and the outcome measures adjusted for confounding factors were obtained. These adjusted associations are given in Table 3, which shows for each outcome 1) the covariate adjusted mean scores or percentages for each level of the breastfeeding factor; 2) the test of significance of the breastfeeding factor based on the ratio of the regression coefficient for the breastfeeding measure to its SE; and 3) the confounding covariates that were found to be significant in each equation. The adjusted mean scores and percentages were obtained using the methods described by Lee (1981).<sup>27</sup> The adjusted means and percentages give estimates of the mean test scores and percentages that would have been observed had all subjects been exposed to comparable levels of the confounding covariates in shown for each equation.

View this table:  
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[\[in a new window\]](#)

**TABLE 3**  
 Associations Between Duration of Breastfeeding and Measures of Cognitive Ability, Teacher Ratings of School Performance, Standardized Tests of Achievement, and High School Success After Adjustment for Covariates

Examination of Table 3 leads to the following conclusions:

1. In all cases, control for confounding factors reduced the strength of association between the duration of breastfeeding and later outcomes. This result suggests, in part, that the apparently

superior performance of children exposed to lengthy duration of breastfeeding reflected the presence of confounding factors and/or selection processes that were associated with both breastfeeding and later cognitive achievement. Inspection of the significant covariate factors suggests that these confounding factors included both measures of social/family advantage (maternal age, education, family socioeconomic status, family income, and living standards) and measures of perinatal outcome (birth weight, birth order, gender).

2. Of the 12 comparisons made, however, 10 show statistically significant ( $P < .05$ ) associations between duration of breastfeeding and later outcomes, one comparison is marginally significant ( $P < .10$ ), and one clearly nonsignificant ( $P > .15$ ). Of particular note is the fact that both the individual's levels of success in School Certificate examinations and his/her risk of leaving school without qualifications were significantly related to duration of breastfeeding even when allowance was made for confounding factors.
3. In general, the results suggest that after adjustment for confounding, there were small but consistent tendencies for increasing duration of breastfeeding to be associated with increased IQ, increased performance on standardized tests, higher teacher ratings of classroom performance, and better high school achievement. The size of this influence can be seen by comparing the adjusted mean test scores of children who were not breastfed with those of children who were breastfed for  $\geq 8$  months. These comparisons show that children who were breastfed for  $\geq 8$  months had mean scores that were between 0.11 and 0.30 SD units higher than the scores for those who were not breastfed. Similarly, children breastfed for  $\geq 8$  months were only two thirds as likely as nonbreastfed children to have left school without qualifications.

### Supplementary Analyses

To examine the robustness of study conclusions to changes in analytic approaches, the following supplementary analyses were conducted.

1. The data were reanalyzed using a classification of breastfeeding based on the number of months for which the child was exclusively breastfed. This analysis produced conclusions that were consistent with those drawn above: increasing duration of exclusive breastfeeding was associated with increasing levels of cognitive ability and academic achievement, and adjustment for confounding tended to reduce the size of these associations but, even after adjustment, significant ( $P < .05$ ) associations remained between the duration of exclusive breastfeeding and 9 of the 12 outcomes studied. In particular, there were significant adjusted associations between duration of exclusive breastfeeding and high school outcomes measured at age 18.
2. To examine whether the effects of breastfeeding varied for boys and girls, the analyses were extended to include tests of interactions between gender and measures of breastfeeding in their effects on cognitive and educational outcomes. However, in no instance was there any detectable evidence to suggest that the association of breastfeeding with the outcome measures varied with the child's gender.
3. Exploration of additional possible confounding factors was conducted by examining the extent to which such factors as maternal work force participation patterns explained the associations. There was no evidence to suggest that the associations between breastfeeding and academic achievement or cognitive ability could be explained further by the inclusion of such confounding factors into the models.

## DISCUSSION

This study has examined the statistical linkages between duration of breastfeeding and later cognitive outcomes in a birth cohort of New Zealand-born children studied to 18 years of age. The findings of this study may be summarized as follows.

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Increasing duration of breastfeeding was associated with small, detectable, and generally consistent increases in childhood cognitive outcomes from the age of 8 to the age of 18. Breastfed children had higher mean scores on tests of cognitive ability; performed better on standardized tests of reading, mathematics, and scholastic ability; were rated as performing better in reading and mathematics by their class teachers; had higher levels of achievement in school-leaving examinations; and less often left school without educational qualifications. There seems to be little doubt on the basis of this evidence that patterns of infant feeding were consistently related to levels of educational attainment from middle childhood to the point of young adulthood.

Subsequent analysis revealed that, in part, the cognitive and academic superiority of breastfed children was explained by the fact that they tended to be born into socially advantaged families characterized by having older, better educated mothers, who did not smoke during pregnancy, higher socioeconomic status, better living standards, and higher family income. However, even after control for confounding and selection factors associated with infant feeding practices, increasing duration of breastfeeding was associated with small but significant increases in scores on standardized tests of ability and achievement, teacher ratings of classroom performance, and greater success at high school. The size of this effect may be illustrated by comparing the mean test scores of those who were breastfed for  $\geq 8$  months with those who were not breastfed. This comparison showed that even after statistical adjustment, children exposed to  $\geq 8$  months of breastfeeding had mean test scores that were between 0.11 to 0.30 SD units higher than those not breastfed. These effect sizes appear to be very similar to the effects found in other studies of general child samples.<sup>1</sup> Similarly, after adjustment for confounding factors, children who were breastfed for  $\geq 8$  months had only an approximate two-thirds risk of leaving school without qualifications compared with children who were not breastfed. These results were found to be resilient to a change to an alternative measure of the duration of breastfeeding based on the number of months of exclusive breastfeeding.

Although the results above suggest that associations between duration of breastfeeding and later outcomes persisted when allowance was made for a range of confounders, the possibility remains that the association between breastfeeding and longer-term outcomes found in this study is noncausal and arises from the effects of confounding factors that have not been controlled adequately in the analysis. Nonetheless, when taken in conjunction with the existing literature on this topic,<sup>1,16</sup> the weight of the evidence clearly favors the view that exposure to breastfeeding is associated with small but detectable increases in childhood cognitive ability and educational achievement, with it being likely that these increases reflect the effects of long chain polyunsaturated fatty acid levels and, particularly, DHA levels on early neurodevelopment.<sup>10</sup> The present study extends these conclusions by showing that the effects of breastfeeding are 1) pervasive and reflected in a range of measures including standardized tests, teacher ratings, and success in high school examinations; and 2) relatively long-lived, extending throughout childhood into young adulthood.

### Clinical Implications

These findings add to a growing body of evidence that has suggested breastfeeding may have multiple health and other benefits for children.<sup>12,28</sup> The particular significance of the present findings is that they show the cognitive benefits that are associated with breastfeeding are unlikely to be short-lived and appear to persist until at least young adulthood. These findings underwrite the need to encourage

breastfeeding and/or to continue to develop improved infant formulas with properties more similar to those of human breast milk that may lead to improved developmental outcomes in children.<sup>11</sup>

## ► FOOTNOTES

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## ► ACKNOWLEDGMENTS

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## ► ABBREVIATIONS

DHA, docosahexaenoic acid. WISC-R, Revised Wechsler Intelligence Scale for Children. IQ, intelligence quotient.

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01/20/98 TUE 10:05 FAX 202 6222633

002

DEPARTMENT OF THE TREASURY  
WASHINGTON

January 20, 1997

Memo To: Anne Lewis

From: Jon Gruber JS

Re: Treasury Position on FMLA

This memo lays out the Treasury position on FMLA extension to 6 months of leave. Please feel free to directly incorporate this into the memo to the President, or to summarize it as you wish. We would like to remain neutral on the issue of lowering the firm size threshold to 25 - if that is a problem, please let me know.

I believe that CEA agrees with much of this position, but perhaps not all of it. You should check with Amy Finkelstein or Becky to be sure.

Also, I wanted to discuss with you how to dress up the withholding option. As you noted, the primary problem with what I presented is the difficulty in explaining the dichotomy between the \$100 and \$350 figures, as well as the problems with the small figure in the former case. It seems to me that it would not be inappropriate to simply take the average of the two figures that I gave you, and say that for the typical family this would provide roughly \$225 of tax savings over three months. This is actually the amount that families would receive for their 3rd+ child, and it is the average of what they get for their first two. This makes the case easy to understand and it is a reasonably large figure which makes the policy look interesting.

I'm happy to discuss any of this further with you if you like. Please feel free to call at 622-0563.

20/98 TUE 10:05 FAX 202 6222633

## EXTENDING FMLA FROM 3 TO 6 MONTHS

Treasury is opposed to the extension of FMLA duration for two reasons. First, there is no data on the potential costliness of this extension to employers, and there is reason to be concerned that such an extension could increase costs by more than the cost increase associated with the initial FMLA introduction. For longer periods of leave, employers may find hiring temporary workers or adjusting other employees' work loads unsatisfactory solutions; the need to hire replacement workers could substantially increase the cost to employers of FMLA. Second, while there is once again a paucity of data, it seems likely that this extension will benefit high income workers much more than their lower income counterparts. Low-income families are likely to have insufficient savings to finance long periods of unpaid leave; indeed, it is unclear whether such workers currently take advantage of even the three months available. It is therefore likely that those who choose to take more than 3 months of leave will be disproportionately higher-income workers. Since empirical evidence suggests that workers will pay for this new entitlement through lower wages, this policy amounts to a tax on all potential leave takers to finance longer leaves for higher income families.

If we decide to extend FMLA leave to six months, we would want to qualify that extension in two ways to minimize the unpredictability of costs to employers, while having minimal impact on the benefits to leave takers:

- **Increasing the tenure requirement on eligibility if length of covered leave is extended.** Currently, covered employees are eligible for 3 months of job protected leave within any 12-month period, if they have worked for the employer for at least 12 months. If covered leave is extended to 6 months, it seems reasonable to *extend the tenure requirement for eligibility to 24 months*. That is, workers would have to have been on the job for at least two years to take more than 12 weeks of leave. Otherwise, employers could be faced with a situation where an employee is entitled to six months of job-guaranteed leave after having been on the job for only one year. This type of uncertainty might deter employers from hiring employees who they suspect will take leave in the near future, such as women of child-bearing age.
- **Allow new parents no more than 24 weeks of leave in a two year period.** An additional concern for employers with the FMLA extension would be that employees could take leave for almost half the year, every year, and retain his or her job. This could create huge scheduling difficulties and once again deter hiring of certain populations. This concern could be allayed by restricting workers to take *at most 24 weeks of leave over any two year period*. That is, a parent could spend six consecutive months at home with his or her child, but would be ineligible for leave for the next 18 months. This policy would still add considerable flexibility, relative to current law, for newborn leave; while current law allows the same amount of leave over a two year period, it restricts parents to at most three months in any given year. So this new policy would improve upon current law by allowing parents of newborns to stay at home with their child for the first six months of life, while minimizing the risk to employers of excessive leave time.

Special  
Committee  
for  
Employers

FOR IMMEDIATE RELEASE  
Tuesday, January 19, 1999

CONTACT: Lisa Lederer  
202/371-1999 ext.1

## **STATE OF THE UNION REFLECTS PRESIDENT CLINTON'S POWERFUL COMMITMENT TO WORKING FAMILIES**

**Statement by Judith L. Lichtman, President  
National Partnership for Women & Families**

The State of the Union address President Clinton will deliver tonight includes measures that will improve life dramatically for this nation's women and families. President Clinton's proposal to expand the Family & Medical Leave Act to cover more workers at mid-sized companies is urgently needed and long overdue. The Family & Medical Leave Act was the first measure Bill Clinton signed into law when he became president, but too many Americans must still make an impossible choice between the job they need and the family they love when a baby is born or adopted, or a medical crisis strikes. President Clinton is right that we need to lower the threshold so that the law covers more working Americans.

We also applaud a range of other initiatives the President is recommending that will make a difference for women and families: raising the minimum wage; narrowing the wage gap; enforcing civil rights more aggressively; prohibiting job discrimination against working parents; helping people get from welfare to work; and helping families provide care for their children and elderly and disabled relatives. And the President is right that federal lawmakers have no higher priority this year than passing the *Patients' Bill of Rights Act*. Americans deserve real patient protections, not more laws that protect the insurance industry.

President Clinton is spelling out an impressive agenda for working women and their families tonight. Americans will be watching closely to see which elected officials support that agenda, and which stand in its way. Congress should stop playing politics and start making policy.

####

*The National Partnership for Women & Families (formerly the Women's Legal Defense Fund) is a nonprofit, nonpartisan organization that promotes fairness in the workplace, quality health care, and policies that help women and men meet the dual demands of work and family.*

*file FMLA*

STATEMENT OF JOHN R. FRASER  
DEPUTY ADMINISTRATOR  
WAGE AND HOUR DIVISION  
EMPLOYMENT STANDARDS ADMINISTRATION  
U.S. DEPARTMENT OF LABOR  
BEFORE THE  
SUBCOMMITTEE ON CHILDREN AND FAMILIES  
OF THE SENATE HEALTH, EDUCATION, LABOR AND PENSIONS COMMITTEE

JULY 14, 1999

Mr. Chairman and Members of the Subcommittee:

I am pleased to be here today to highlight the tremendous success of the Family and Medical Leave Act (FMLA), and to discuss the President's proposals to extend the Act's benefits and fund needed research to provide better information on the Act's impact on American families.

Mr. Chairman, August 5 will mark the sixth anniversary of the day the FMLA took effect. The Act's purpose is practical and its benefits evident. Since its enactment, the FMLA has become indispensable, supporting family stability by helping Americans balance the demands of work and family. The Administration believes, in fact, that based on the experience with the law to date, it is time to broaden its coverage to protect more workers and to allow workers to take time off, without placing their jobs in jeopardy, to deal with important family matters that they face daily.

I would like to begin by discussing why we believe the FMLA has been such a big success, as demonstrated by our positive experience administering and enforcing the Act, the findings of the bipartisan Commission on Family and Medical Leave (Commission), and how the Act has benefited America's workers and employers. Then I will outline the Administration's FMLA research and legislative proposals.

**FMLA HAS BEEN A GREAT SUCCESS**

**FMLA Purpose and Benefits**

The FMLA allows eligible employees of covered employers up to 12 weeks unpaid leave a year to care for seriously ill family members, the birth or placement for adoption or foster care of a child, or their own serious health problems. Public agencies and schools, and private employers with 50 or more workers must offer eligible employees family and medical leave. Employees are eligible if they have worked for their employer for at least one year and for 1,250 hours over the previous 12 months, and work at a location where there are at least 50 or more workers employed within 75 miles. For the period of FMLA leave -- which the Commission

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found to average about 10 days -- the employer must maintain the employee's health coverage if provided under its group health plan. Upon return from FMLA leave, employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. In addition, the use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. The law covers worksites which employ over 70 percent of all workers -- about 91 million people.

FMLA was intended to allow employees to better meet the challenge of balancing the sometimes competing demands of the workplace and their families, to promote the stability and economic security of families, and to promote national interests in preserving family integrity. It was intended that the Act accomplish these purposes in a manner that accommodates the legitimate interests of employers, and in a manner consistent with the Equal Protection Clause of the Fourteenth Amendment in minimizing the potential for employment discrimination on the basis of sex, while promoting equal employment opportunity for men and women.

Enactment of FMLA was predicated on two fundamental concerns -- the evolving needs of the American workforce, and the development of high performance organizations. America's children and elderly commonly depend upon family members who must spend long hours at work. When a family emergency arises, requiring workers to attend to seriously-ill children or parents, or to newly-born or adopted infants, or even to their own serious illness, workers need greater assurance that they will not be forced to choose between continuing their employment or tending to vital needs at home.

The Department of Labor's experience in implementing and enforcing the Act, along with the findings of the bipartisan Commission, demonstrate that the FMLA has worked well, accomplishing its purpose effectively and efficiently, with distinct benefits to employers and employees. It has allowed millions of workers to take FMLA-protected time-off from work to meet family and medical needs without risking their jobs or health insurance.

And, we think the FMLA is a win-win proposition for both employers and employees. Employees who are treated fairly and whose family commitments are honored at work are more loyal and productive workers. Employers benefit from reduced turnover, increased productivity, greater uniformity and consistency in their family and medical leave policies, and greater labor-management stability. By promoting job security and encouraging greater productivity, the FMLA enables American businesses to compete effectively in a global economy.

## **Enforcement**

In the five years since FMLA became effective on August 5, 1993 (through the end of fiscal year 1998), the Department, through the Employment Standards Administration's Wage and Hour Division, has completed action on some 13,600 complaints—an extremely small number given the millions of workers who have taken time off under FMLA. Fifty-nine percent

of the complaints presented valid issues. Nearly 90 percent of the complaints of an apparent FMLA violation were successfully resolved, many with a simple phone call to the employer explaining FMLA's provisions and the steps needed to remedy the situation.

A review of the FMLA compliance actions completed through September 30, 1998, shows that by far the largest number of valid complaints -- 44 percent -- involved their employer's refusal to reinstate employees to the same or equivalent positions after they returned from FMLA leave. In the rest of the cases, complaints alleged that the employer:

- \* refused to grant them FMLA leave -- 22 percent;
- \* interfered with or discriminated against them for using FMLA leave -- 15 percent; or
- \* refused to maintain their group health benefits during leave -- 3 percent.

Eight percent of the complaints involved a combination of these issues, while most of the remaining complaints involved other issues, primarily administrative in nature.

Because emergency medical situations are often involved in FMLA leave cases, the Department has sought to resolve complaints quickly through a conciliation process. If necessary, a full investigation is conducted. Over 60 percent of the completed compliance actions have been resolved through conciliation.

Since FMLA's enactment, the Department has initiated legal action in 32 cases, most of which involve issues of job restoration and leave denial. Of these, four are pending. The Department has also filed friend-of-the-court briefs in six cases addressing FMLA issues, of which two are pending.

### **Reasons for FMLA Leave**

According to the Commission's report to Congress in April 1996, entitled "*A Workable Balance*," during an 18-month period in 1994-1995, about 60 percent of the FMLA-protected leave was taken for the employee's own health problems. Seventeen percent of FMLA-protected leave was taken for maternity reasons and the birth or adoption of a child, and approximately 20 percent was to care for an ill child, spouse, or parent.

The Commission also found that about 58 percent of FMLA-protected leave was used by women, about 42 percent by men.

Employees most likely to take leave were between the ages of 25 and 34, those with children, employees paid by the hour, and workers with family incomes between \$20,000 and \$30,000 a year.

### **Employer Compliance**

Employers generally have not reported serious problems complying with the law. According to the Commission's report to Congress, nearly 90 percent of all employers surveyed

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reported that complying with the FMLA entailed "no" or only "small" administrative costs, and roughly nine of ten employers reported no noticeable effect on productivity, profitability or growth. Over 90 percent of the covered employers said it was "very easy" or "somewhat easy" to determine worksite coverage or to determine employee eligibility.

### **User-Friendly Law**

An important component of the Department's compliance efforts – and something that we think contributed to broad acceptance of and compliance with the law – has been our focus on educational outreach. From the outset, the Department initiated and has maintained an aggressive outreach program which includes: (1) distributing public service announcements; (2) delivering nearly 2,800 speeches, seminars, and media events; and (3) responding to over 625,000 telephone inquiries to our offices and establishing a special toll-free number (1-800-959-FMLA).

In a continuing effort to provide easy-to-understand information on the FMLA, the Department has also developed an on-line FMLA information service as part of the Employment Laws Assistance for Workers and Small Business (*elaws*) on the Internet. The FMLA *elaws* Advisor is an interactive program designed to help employees and employers learn more about the FMLA, and determine their rights and responsibilities under the law. This system can be accessed from the Department's web site homepage. Since its inception in November 1997, more than 91,000 individuals have accessed the FMLA *elaws* Advisor.

From the outset, the Department has also provided user-friendly informational materials such as compliance guides and fact sheets written in non-technical language, and a prototype employee notification form for employers.

### **No Widespread Problems or Abuse**

We believe that this concentrated outreach has paid off. Most of the evidence from the Commission's report and the Department's experience suggests there have not been widespread problems or abuses under the FMLA. This is also a result, we believe, of the concerted effort the Department made in developing the FMLA regulations, to obtain and consider valuable public input, and the user-friendly structure of the regulations.

In developing the FMLA implementing regulations, numerous complex issues had to be resolved, with the definition of serious health condition and the qualifying illnesses it encompasses, and use of intermittent FMLA leave among the most significant. As you know, concerns about these issues continue to be expressed, but we believe that many of these concerns arose primarily when employers first tried to blend pre-existing leave and attendance policies with new requirements under FMLA. In addressing these and the many other issues, we carefully weighed the comments received within the context of the FMLA statutory requirements and legislative history. In promulgating the regulations, we sought to ensure the benefits and

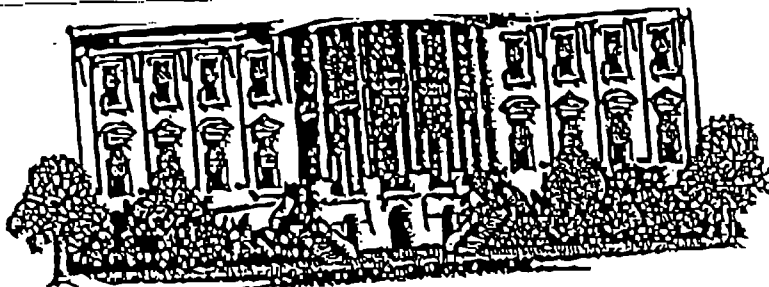
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From Andrea

Same

RE: UI / Kuli family land  
issue

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## THE WHITE HOUSE

Domestic Policy Council

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5/12

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COMMENTS:

FYI - Ann - maybe of interest  
re: VI/family leave issue; Nancy/Hen,  
we'd talked a while back about VI reform  
as a future issue.

Write to mil's address

# National Employment Law Project

55 John Street, 7th Floor, New York, NY. 10038

(212)285-3025 ✦ fax (212) 285-3044 ✦ nelp@nelp.org ✦ www.nelp.org

April 27, 2000

Dear Friends,

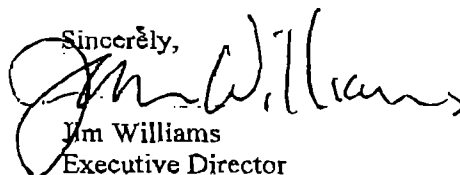
We are extremely pleased to announce an expanded initiative by the National Employment Law Project (NELP) to promote reform of the Unemployment Insurance system (UI) and other workforce development programs to respond to the changing needs of today's low-wage, women and non-standard workers. With the generous support of the Joyce Foundation, we will significantly increase our staff to support the growing state movement rallying around these issues.

Over the next several years, NELP will raise the public profile of the UI system and help generate increased activity at the state level to promote reforms. While we will continue our work with state advocates throughout the country, we will also greatly expand our capacity to support initiatives in the Midwest specifically. In addition, the project will focus on impacting federal policy and supporting the many new state campaigns to expand unemployment benefits for workers taking family and medical leave. Finally, NELP will work with state advocates to address a number of key concerns related to administration of the UI program and the One-Stop system now being implemented under the Workforce Investment Act of 1998.

We are especially excited about the new team NELP has assembled to take on this project. Working with Maurice Emsellem, NELP's UI Project Director, we have hired a leading authority on the UI and federal job training systems, Rick McHugh. Rick has devoted the last twenty years of his career as a labor lawyer and a Legal Services advocate to these issues. More than any one advocate, Rick has made the UI system more responsive to the needs of low-wage workers while also successfully building broad alliances for reform. Rick will provide intensive assistance to advocacy campaigns in the Midwest and help staff our federal policy initiatives. In addition, NELP will be working on a consulting basis with one of the nation's foremost economists who specializes in these issues, Marc Baldwin. Finally, with this letter, we are circulating a job announcement to hire another experienced advocate with a background in policy advocacy and workforce development programs.

Please spread the word that NELP is available to provide intensive assistance to state campaigns seeking to reform UI programs, and that we are looking for qualified candidates to join our new team working on this project.

Sincerely,



Jim Williams  
Executive Director

*Advocating for the Working Poor and the Unemployed*



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Low-Wage Worker Activist



*File Parent  
love*

## THE WHITE HOUSE

Domestic Policy Council

DATE: 6/13/00

FACSIMILE FOR: Ann O'leary

FAX: 6-2878

PHONE:

FACSIMILE FROM: Andrea Kane

FAX: 202-456-7431

PHONE: 202-456-5573

NUMBER OF PAGES (INCLUDING COVER): 12

COMMENTS:

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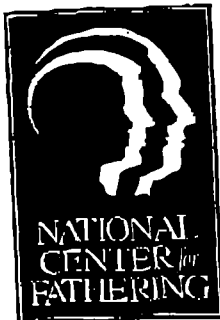
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# NATIONAL CENTER for FATHERING

**FAX COVER SHEET**

cc: Mary  
fax to: Ann O'Leary  
62878

To: Andrea Fax #: \_\_\_\_\_  
From: Ken Date: \_\_\_\_\_ Time: \_\_\_\_\_

Total Number of Pages: 10 (Including this cover sheet). If there are any problems with this transmittal, please contact this office as soon as possible at (913) 384-4661. Thank You.

Message:

Andrea,

Here's my cell # if you need  
anything else. Ken

913-908-7285

10200 W. 75th St., Suite 267 • Shawnee Mission, KS 66204 • 913-384-4661 • FAX 384-4665

Andrea,

Here are some talking points for the Presidents' potential remarks.

1) Parental Leave - This is meant to include mothers & fathers! Currently best estimates note only 11% of dads use paternity leave. We need more fathers, showing us that being a dad is a high priority. Cite best practices/companies.

2) Fathers role in education is critical. DOE notes that children benefit from fathers reading to them, attending school activities & supporting their advanced schooling. (see attachments)

KLS

## Reconciliation is Presidential

from *Today's Father* radio with Dr. Ken Canfield

[ANNCR:] Whatever your politics, we can all learn a lesson about reconciliation from Bill Clinton. Here's Dr. Ken Canfield, best-selling author and president of the National Center for Fathering on *Today's Father*.

[KEN:] I don't know how much you know of Bill Clinton's past, but the part that fascinates me is his turbulent and yet reconciled relationship with his stepfather.

President Clinton's father died in an auto accident three months before Bill was born. The child, named William Jefferson Blythe, never knew the man who gave him life. He started life as a fatherless child.

When Bill was four, his mother married Roger Clinton, a car dealer. Later, Bill legally changed his last name to Clinton because, he said, "I wanted to bring solidarity to a troubled family." You see, Roger Clinton abused alcohol and abused his family, and his family suffered for it.

Things started to come apart when Clinton was fourteen. His stepfather—drunk and angry—was fighting with Bill's mother and younger brother. As the story relates, Clinton stepped between them. "You will never hit either of them again," he told his stepfather. "If you want them, you'll have to go through me."

The change began in 1967, when Bill Clinton, then a law student at Georgetown University, learned his stepfather was dying of cancer. For six weeks, Clinton drove the 250 miles from DC to Durham, North Carolina, every weekend to visit his stepdad.

Clinton later commented, "I think Roger knew that I was coming down there just because I loved him. There was nothing else to fight over; nothing else to run from. It was a wonderful time in my life, and I think in his."

From Clinton's mother, we hear more about what Bill did for his stepdad in the end. Roger got so that he was unable to care for himself. When he had to go to the bathroom, he just soiled his pants, which was most embarrassing for this well-dressed, dignified man. That's when Bill would bodily pick him up, take him to the bathroom, and save this man's dignity.

Charles Allen, Clinton's biographer, notes this: "Bill Clinton realized that it was up to him to bring a final reconciliation to their turbulent relationship."

Reconciling yourself to an alienated father is *presidential*.

This is Ken Canfield for *Today's Father*.

whose dads did not participate in any school activities.

Apparently, the contact that nonresident dads have with their children has a mixed blessing in it. The quality of the contact seems to be as important as the contact itself. Overall, the results here show strong evidence that nonresidential fatherly involvement in children's schooling is important to children, particularly older ones.

## Recap

Based on the above data and on the Longitudinal Study of American Youth (1987-1994):

1. Children do better in school when their fathers are involved at school, regardless of whether their fathers live with them.
2. Many fathers in two-parent homes are not very involved in their children's schools.
3. Single moms and single dads are nearly as involved in their children's schools as moms in two-parent homes.
4. Children benefit when their nonresident fathers participate at school (as opposed to just maintaining contact with them).
5. Parents are more likely to be involved in their children's schools if those schools welcome parental involvement, facilitate parental involvement, maintain good discipline, and foster teacher-student respect. These are all aspects of "school climate."
6. Fathers in two-parent homes are just as involved as mothers in at-home educational activities with their children.
7. Parental involvement at home is not influenced by whether a child does well or struggles in school.
8. Parental educational level was both a main effect and a moderator in at-school and at-

home educational involvement with children.

The summary remarks of the LSAY suggested that, in communities where parents generally have minimal formal education, schools need to find individuals with academic skills who can provide homework assistance to students. Parents in these areas cannot be expected to provide this assistance to their children, but they can be asked to encourage their children to complete their homework, to set aside a time and a place for homework, and to refer them to homework helpers when assistance is needed.

## Overcoming Obstacles

## **Disconnected Fathers**

A man named Rick pursued "success" in the corporate world as the chief goal in his life. As he took increasingly important management positions, he relocated his wife and two children eight times. As his responsibilities grew, he worked longer and longer hours. He kissed his children good-bye before they woke in the morning, and good-night after they had fallen asleep.

Then one day, after returning from an extended trip, Rick looked out the window and saw his daughter playing in the back yard. He asked his wife, "Who's Amanda playing with?" She replied, "That's your son."

Although Rick's story is factual, it is easy to assume that such "disconnectedness" is the exception, rather than the rule. But in 1999, the National Center for Fathering conducted a national telephone survey researching father involvement. The results were staggering. Over 40% of fathers had never read to their school-aged children. Only 40.9% of fathers between the ages of 25 and 44 knew the name of their child's teacher.

For many dads, fathering education would positively affect their ability to impact their child's education. A curriculum for such education would certainly encompass many topics, but one salient topic substantiated by the research is the need to teach fathers how to build a warm, caring relationship with their children.

### **Things That Disconnect Fathers from their Children**

#### **1. A Limited Understanding of Their Role**

Surveys have reported that 40% of fathers polled would like to spend more time with their children than they currently do.<sup>73</sup> That number is astonishing, because it means that 60% of the men polled did not want to spend more time with their children!

What are the reasons for this? Considering the brief history of fatherhood in the United States, the answer could be that there remains in the American male psyche the underlying assumption that men are first and foremost breadwinners, and that the women must be the nurturers.<sup>74</sup> Underlying this assumption may be the fear that nurturing does not have a place in real masculinity.<sup>75</sup> So a correct and real picture of true masculinity (and what it entails), is desperately needed.

#### **2. Lack of Relational Skills, and Lack of Sensitivity**

Not only do men need a better picture of what a real man is, they need to be equipped with communication and relational skills. These would help them build

relationships with others (including their children). They would also add the needed self-confidence that comes through use and mastery.<sup>76</sup>

The good news is that many of these skills are available today through a number of skill-development programs.<sup>77</sup> These programs can actually happen informally when fathers just take the time to do activities with their children that they enjoy doing together. This promotes sensitivity. It enables a dad to evaluate his child's signals or needs, and respond to them appropriately. Sensitivity is critical to both involvement and closeness.<sup>78</sup>

Most studies of paternal involvement ignore the emotional quality of the father-child relationship, or find that the quality and the quantity of interaction is unrelated.<sup>79</sup> However, both sensitivity and self-confidence are greater than any specific skills in paternal behavior and influence. The closeness of the father-child relationship is the crucial determinate of the dad's impact on a child's development and adjustment.<sup>80</sup>

### 3. Spousal/adult Support

Fathers also need the support of their wives to overcome the disconnectedness that plagues most fathers today. However, some studies show that a substantial majority of moms do not want their husbands to be more involved in the lives of their children.<sup>81</sup> Apparently, these moms want a continuation of the status quo, at least in the extent of paternal involvement and the range and type of paternal-child activities.<sup>82</sup> Women overwhelmingly view breadwinning as the crucial role for husbands.<sup>83</sup>

The reasons for these findings may be that women feel men are not competent to interact successfully with children, and that increased paternal involvement will threaten the power dynamics of the family.<sup>84</sup> Mother as "manager of the house" is a real power and control issue that is historically unquestioned, even when women work (and thus risk further physical and mental exhaustion by coming home from work to more work.)<sup>85</sup>

### 4. Institutional Practices

Fathers ranked institutional practices and barriers imposed by the workplace as the most important reasons for their low levels of involvement.<sup>86</sup> But men do not trade work time for family time one-to-one. One hour of work time for a man translates into 20 minutes of family time. Whereas one hour of work time for women translates into 40-45 minutes of family time.<sup>87</sup> Paternity leave is the most frequently discussed means of enhancing paternal involvement, even though flex-time schedules would be of greater value.<sup>88</sup>

### 5. Separation and Divorce Processes

Mediation classes for parents who are applying for a divorce might enable parents to better understand existing or potential co-parenting issues more fully. Mediation

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sessions, and other pre/post divorce intervention strategies, should encourage mothers to realize that promoting access and positive interaction between fathers and children is a worthy goal. Fathers must be made to feel connected to their children to maintain a feeling of obligation toward them.

## **6. Welfare Reform**

Administrative rules that require a father's child support be used to reimburse the government for welfare payments made to the mother (and other programs that prod mothers to target enforcement actions) have sometimes discouraged fathers from playing a more active role in their children's lives.

## **"Plugging-In"**

"If men are encouraged from childhood through adolescence and adulthood to feel that their own sense of personal identity can be built on direct caring, and not just on

### Natural Times of High Fathering Motivation

[ANNCR:] Fathering can be draining. Our time is short. Our energy is low. We know how important our children are, but sometimes our motivation to be good fathers is low. Take heart. Ken Canfield, best-selling author and president of the National Center for Fathering promises that there will also be times when your motivation as a father is high . . . on *Today's Father*.

[KEN:] The first and possibly most powerful chance to experience high motivation as a father is our very first fathering moment: the birth of a child.

In recent years men have been invited to join their wives in the birthing room. We've even become valuable participants in the delivery process. The adrenalin, the excitement, the newness of the experience can lead a father to feel emotions that are possibly more intense than anything he has ever experienced.

If you and your wife are expecting your first child, don't miss the opportunity to be in the birthing room. You'll begin your fathering career with a large reservoir of motivation.

If you missed out on previous deliveries --and if you're still having children-- look for the birthing experience to revitalize your entire fathering career.

If you're done having kids, there are still plenty of other moments of high fathering motivation. Maybe it's a child's birthday; a memorable family vacation; or a pleasant Father's Day celebration. Your children's milestones--their Baptism, their conversion. Their

first day at school, first ball game, first date. Graduations. Weddings. These are all wonderful opportunities to stoke your motivational fires.

Beyond the big events, you can also use visual checkpoints on a daily basis. A piece of scribbled art or a photograph on your desk or on the wall at work will remind you of your commitment to your children. What's more, your family will see their picture displayed for all the world to see, and sense your commitment to them.



Finally, it's good to surround yourself with some of the "trappings" of fatherhood. Bill Clinton looks up from his desk in the Oval Office and sees the Official Seal of the Presidency of the United States. It should remind him of the authority that comes with his position. While there is no Official Seal of Fatherhood, there are plaques and coffee mugs and sweat shirts which proclaim that you are a dad! Display them, drink from them and wear them proudly. You're a father. That's the greatest thing you could ever be called to be.

This is Ken Canfield for Today's Father.