

The 111th Congress Work and Family Agenda focuses on three areas: **1. Guaranteeing workers paid sick days** for short-term, common illnesses; **2. Guaranteeing workers paid family and medical leave** to care for longer-term, serious health conditions and to bond with new children; and **3. Correcting and expanding the FMLA** to cover more workers.

1. PAID SICK DAYS/ PAID TIME OFF FOR SHORT-TERM OR COMMON ILLNESS

Background

The FMLA does not address many workers' day-to-day health needs—including short-term common illness. As a result, when workers are struck with a cold or 24-hour virus, they often have no choice but to go to work sick, and risk infecting others.

- Two in five private-sector workers (39 percent) don't have paid sick days to recover from illness. Two in three low-wage workers lack paid sick days, and they are among the most likely to have jobs requiring frequent contact with the public (e.g. food service, hotel industry).

Healthy Families Act (HR 2460/ S 1152)

- Guarantees workers up to seven paid sick days a year, accrued at a rate of one hour of paid sick time for every 30 hours worked.
- Paid sick time can be used to recover from short-term illness, to care for a sick family member, for routine medical care or to seek assistance related to domestic violence, sexual assault or stalking.
- Small-business employers with fewer than 15 workers are exempt from the law.

2. PAID FAMILY AND MEDICAL LEAVE/ FAMILY LEAVE INSURANCE

Background

Providing *paid* family and medical leave helps ensure workers can perform essential caretaking responsibilities for themselves, seriously-ill family members and new children. Without some form of wage replacement, the FMLA's promise of job-protected leave is out of reach for millions of women and men.

- Among FMLA-qualified workers who needed leave but did not take it, three in four did not do so because they could not afford time off without pay.
- More than one-third of the men and women who take FMLA receive no pay during leave.

Federal Employees Paid Parental Leave Act (HR 626, S 354)

HR 626 was passed by the House on June 4, 2009 by a 258-154 vote.

- Guarantees federal workers with four weeks of full pay while they are on FMLA leave for the birth or adoption of a child.

Family Income to Respond to Significant Transitions (FIRST) Act (HR 2339)

- Provides up to \$1.5 billion for grants to states to develop and implement paid family and medical leave programs. States would be eligible to receive grants for programs that offer a minimum of six weeks of paid leave to care for a newborn or newly adopted child. States with programs that cover additional reasons to take leave under the FMLA would receive larger grants.

Family Leave Insurance Act (HR 1723/Senate version to be introduced)

- Guarantees workers up to 12 weeks of paid leave for time off under the FMLA. Workers on leave will receive wage replacement based on a sliding scale. Those who earn less will receive a greater percentage of their income in wage replacement.
- Employers and workers would share the cost (each paying 0.2 percent of a worker's income), approximately \$7 per month, into the insurance fund, with small employers paying 0.1 percent.
- The program covers all non-federal employers with two or more employees.

3. CORRECTING AND EXPANDING THE FMLA

Background

The Family and Medical Leave Act (FMLA) is the only federal law that helps workers meet the dual demands of work and family. Yet, it doesn't cover all workers who need to take time off to recover from illness.

What the FMLA provides: *Unpaid*, job-protected leave for up to 12 weeks a year:

- To care for a newborn or newly adopted child;
- To care for a seriously-ill family member (spouse, child or parent);
- To recover from a worker's own serious illness;
- To care for an injured servicemember in the family; or
- To address qualifying exigencies arising out of a family member's deployment.

Who the FMLA covers:

- Workers in businesses with 50 or more employees (within a 75 mile radius), and public agencies—including schools and state, local, and federal employers—who have worked for that employer for at least one year and 1,250 hours within the last 12 months.

Who the FMLA does not cover:

- Workers in businesses with fewer than 50 employees;
- Part-time workers (an increasing portion of workers, as businesses reduce their hours);
- Workers who need time off to care for seriously-ill domestic partners, children of domestic partners or many seriously-ill elderly relatives (especially problematic as the population ages);
- Workers who need time off to recover from short-term or common illnesses like a cold, or to care for a family member with a short-term illness; and
- Workers who need time off for routine medical care, such as check-ups.

Family and Medical Leave Restoration Act (HR 2161)

- Reverses the most restrictive of the Bush Administration's 2008 FMLA regulations and restores the fair-minded regulations that previously governed the use of FMLA leave.
- Restores workers' medical privacy; reverses the time limits workers have for giving notice of their need for leave and reverses the additional requirements and procedures when requesting leave, among other things.

FMLA Enhancement Act (HR 824)

- Expands FMLA coverage to include businesses with 25 or more workers.
- Expands the use of FMLA leave to allow workers to attend their children's educational activities (e.g. school conferences), or for routine family medical needs, including doctor's visits.

Family Fairness Act (HR 389)

- Expands FMLA coverage to part-time workers by eliminating the 1,250 hours requirement.