Establishing Paid Family and Medical Leave

Samantha Greenberg ’18
Ellery Riccio ’19

In the United States, 1.2 million workers can lose their jobs if they take time off in order to take care of a family medical emergency or a newborn. The current Federal and Medical Leave Act (FMLA), signed by President Bill Clinton in 1993, was the first step in mandating employers to allow their employees to take time off of work. However, FMLA is unpaid leave, only covers employees that work for a private sector employee with 50 or more employees, and is twelve weeks long, and excludes certain family members. In response to these shortcomings, Bill S.1048/H.2172 will extend coverage to all public and private employees and guaranteed paid leave, strengthening worker productivity and health of families.

■ The Bill

S.1048/H.2172: An Act to establish a paid family and medical leave insurance program

■ Elevator Speech

Our names are Samantha Greenberg and Ellery Riccio and we are health policy students at Brandeis University. Only through responsible planning will we strengthen businesses and families. 1.2 million workers can lose their jobs if they take time off in order to take care of a family medical emergency or a newborn. Employees are forced to go to work when they are sick; not only does this affect their health but also the health of others. Luckily, An Act to establish a paid family and medical leave insurance program (H.2172/S.1048) allows employees job-protected paid leave to recover from a serious illness or injury, to care for a seriously ill or injured family member, or care for a newborn child. Currently, five states: California, Colorado, New York, Rhode Island and New Jersey have implemented a similar bill. In California, 90% employers reported that Paid Family and Medical Leave has a positive effect on productivity and a 99% reported a positive effect on employee morale. In Colorado, paid family and medical leave allowed an executive assistant recently diagnosed with multiple sclerosis to take leave to take care of herself. Please vote to move this bill favorably out of the Joint Committee on Labor and Workforce Development.
Excerpts from the Storybook

Sam's Story

Sam* is a research scientist and the associate director of a university program in the Boston area. Both of her parents fell ill with horrible diseases less than a year from each other. She had to take on new caregiving responsibilities on top of working 40 hours a week and taking care of her family. Eventually, Sam had to leave her job in order to care for her parents. Her whole world was caring for her family; there wasn't any time for work, an experience she said was “emotionally draining.” The Paid Family Leave Act would give people like Sam the peace of mind that they can care for loved ones while not worrying about losing their jobs.

*Name changed for privacy.

Op-Ed

Ellery

“Ugggghhhhhhh” you say as you turn your alarm off and roll over, pretending that for 5 more minutes you don't have to go into work. This is a feeling all of us can relate to a little too well. But imagine that feeling for a parent who had a child not even two weeks ago as they get ready for an 8 hour-work day away from their new family, when they should be bonding and caring for their newborn. Or an employee suffering from cancer or multiple sclerosis, as they get dressed and head out the door to go to work, but what they need to do is stay at home, rest, and recuperate.

Susan Townsend* felt this pain for too long. She is a third grade teacher at an elementary school in central Massachusetts. After the birth of her first child she was forced to return to work 13 days after giving birth, using her vacation and sick days to take time off. Katherine was forced to hire help to watch her newborn during the day. She was unable to bond with her baby in his first few months; something that she can never get back.

87% of employees throughout the state experience this pain every morning because they do not have paid leave. 1.2 million can lose their jobs if they take time off to care for their newborn or for themselves. Employers are not prioritizing and taking care of their employees. Some are so focused on maximizing profits that they don't want to pay an employee who is missing work; while others cannot afford to pay them. Either way this forces employees to put work over their health in order to continue to make the money needed for food and housing and to keep their jobs.

Luckily, Massachusetts can provide a solution that benefits employees and employers. An Act to establish a paid family and medical leave insurance program will make employees eligible for job-protected paid leave to recover from a serious illness or injury, to care for a seriously ill or injured family member, or care for a new born child. This bill also mandates employers to restore the employees’ previous position with the same status, pay, benefits, length of service credit, and seniority as the date of leave.

Paid family and medical leave is so easy a caveman could do it. The employer and employee pay 1.72 each, weekly, into the insurance fund set up by the state. Once an illness arises, or the birth of child occurs, the employee submits proof to the employer. After the case is reviewed and is seen as legitimate, the employee is allowed up to 12 weeks of family leave or 26 weeks of medical leave per year.

States like California, New York, Colorado, Rhode Island, and New Jersey have already implemented paid family and medical leave. Employers noticed a positive effect on productivity, performance, and employee morale. And the employees, well they noticed they were finally at home taking care of themselves, a child, or a family member.

So you might be wondering, “what's the hold up?” or “why don't we have paid family and medical leave in Massachusetts?” While this concept seems like common sense to you, those in the State House seem to differ as this bill still has not passed yet. Businesses are concerned with the additional costs and are skeptical of the government's ability to maintain such a program; however, for less than two dollars a week employers can ensure employees get the leave they deserve. Call, email, or even write your legislators and educate them about the importance of paid family and medical leave to you. If the bill becomes a ballot question, please tell your friends, family, anyone you see on the streets on your way to the polls, to vote this critical paid family and medical leave into law.

And hopefully, the next time you are ill instead of suffering through an 8-hour work day, you'll be in bed, resting, right where you should be.

*Name changed for privacy.

House Ways and Means Script

Our names are Samantha Greenberg and Ellery Riccio. We are health policy students at Brandeis University and we're concerned with job security and public health here in Massachusetts. Only through responsible planning will we strengthen businesses and families. 1.2 million workers can lose their jobs if they take time off in order to take care of a family medical emergency or a newborn. Employees are forced to go to work when they are sick; not only does this affect their health but also the health of others.

Of those who are eligible for leave under the federal Family and Medical Leave Act, many cannot afford to take
unpaid time off from work and are left with the dilemma of keeping their job or taking care of a family member. No one should have to make that decision.

An Act to establish a paid family and medical leave insurance program (H.2172/S.1048) allows employees job-protected paid leave to recover from a serious illness or injury, to care for a seriously ill or injured family member, or care for a newborn child. Paid Family and Medical Leave allows 12 weeks of leave in a benefit year for family leave and 26 weeks of the benefit year for medical leave. This bill mandates employers to restore the employee's previous position with the same status, pay, benefits, length of service credit, and seniority of the date of leave.

While this bill provides several necessary benefits, there is a small startup cost. A system would have to be created to collect the money that will be provided to the insurance companies. Building this system would cost 20 million dollars, however, this is a one-time fee. This cost would go towards infrastructure and employment. While 20 million dollars seems like a significant amount of money, last month tax revenues totaled 2.974 billion dollars, 158 million dollars or 5.8% above the revised January benchmark. We clearly have the money.

The beauty of this insurance program is that it is funded by the employer and the employee. Cost estimates show that the employer and worker would contribute $3.44, or $1.72 each, weekly. The government does not have to contribute to the ongoing cost, and neither do tax payers.

Four states – California, New York, Rhode Island and New Jersey – administer paid medical leave through disability insurance. California extended disability insurance benefits to now cover paid family and medical leave. In order to set up this additional insurance program, California used money given to them from the federal government leftover from the New Deal. Since they were adding onto existing disability insurance, they already had a starting point which reduced costs.

Since the first paid family and leave program started 15 years ago, we know what benefits are to come. A survey given in California concluded that 99% of employers saw positive or neutral effects on employee morale and 91% reports positive or neutral effects on profitability and performance. Further, businesses can predict the costs associated with paid leave. Without paid family and medical leave, the employer must may the worker on leave and the temporary replacement worker. But with such paid leave, the employer can only pay the temporary worker because the worker on leave is covered by insurance premiums that have previously been paid over the time of employment.

While a major concern is employees wrongly taking leave, there are strict guidelines in place to prevent abuse of the system. Employees must submit a note from a healthcare provider explaining the severity of the illness. 91% of employers in California reported no suspected abuse of the system. Another potential issue is an increase in premium cost over time. This was not seen in any of the states that currently have paid family and medical leave, not even in California which has had this insurance for 15 years.

While your concern is financial, it is only a one-time fee from the government to put in place a necessary insurance program that will last for decades.

Chairman Sanchez, I urge you to make this bill a priority and vote it out of committee favorably. Thank you.

Letter to the Legislator

As a neighbor and resident of Waltham for four years, we have a vested interest in the financial strength of our community. We understand that operating successful businesses, whether they be large or small, impacts the greater good of all employees and employers in our neighborhood. And, for successful businesses to operate, employers must ensure that their employees are happy, which usually means that they’re receiving the benefits that they need. We are soon-to-be graduates of Brandeis University and excited to join the healthy and productive Massachusetts workforce. Fortunately, we are both young and don't worry about health impairments. Unfortunately, our friends' parents are not in the same boat. My friends' father was recently diagnosed with rheumatoid arthritis. Rheumatoid arthritis is a chronic and inflammatory disease, preventing him from commuting to work.

Luckily, there's a bill in the Joint Committee on Labor and Workforce Development that can help us solve the problem that our friends and our friends' parents face. An Act to establish a paid family and medical leave insurance program, House #2172 and Senate #1048, allows employees job-protected paid leave to recover from a serious illness or injury, to care for a seriously ill or injured family member, or care for a newborn child.

Many times, employees, like my friends' dad, are forced to go to work when they are sick or hurting. This affects their performance and their health, but also the performance and health of others. Currently, five states: California, Colorado, New York, Rhode Island and New Jersey have implemented an Act that we're looking to pass as well. Why can't we? In California, 90% employers reported that Paid Family and Medical Leave has a positive effect on productivity and a 99% reported a positive effect on employee morale. Evidence suggests that employers and employees benefit from the bills. Paid policy leave improves employee retention and reduces turnover rates.

Previously, you've sponsored An Act furthering health empowerment and affordability by leveraging transformative health care, S.2211, which goes hand-in-hand with Paid Family and Medical Leave. Please vote to move this bill favorably out.
Advocacy for Policy Change: Brandeis students work to reform Massachusetts law

of the Joint Committee on Labor and Workforce Development. Spread the word to your colleagues about paid medical and family leave.

Excerpts from Campaign Journals

Ellery
Samantha and I signed up online to be volunteers for the coalition Raise Up Massachusetts, one of the major coalitions supporting Paid Family and Medical Leave. They host events, collect signatures to send the bill to the ballot, and share stories to help spread support for Paid Family and Medical Leave. However, we wanted to be more involved than just informing members of our community about Paid Family and Medical Leave and collecting signatures.

. . . I think if Samantha and I did not have full class schedules it would have been easier to be involved in this coalition. Raise Up held meetings once a month on Thursdays at 1:30, however I had a class that I could not miss at that time. If we were able to go to the coalition’s building, talk to people there and form relationships in person, rather than over the phone, we might have succeeded in having a more active role. This interaction demonstrated how hard it is to connect with people over email and taught me that it is always a good idea to follow up in person.

Samantha
On scheduling meetings
Our communication with RaiseUp, unfortunately, was limited, due to inopportune scheduling conflicts on both our side and the Coalition’s end. It was difficult to arrange times to meet with the Coalition’s leadership as busy college students with prior obligations on campus. Most opportunities to meet with the Coalition occurred during the workday, between the hours of 9:00 a.m. and 5:00 p.m., and both Ellery and I had classes and assignments and extracurricular activities and meetings during these hours. Although we had trouble connecting with RaiseUp, we found extensive information about our bill, Paid Family and Medical Leave, on their website and through our connections on the Brandeis campus.

We also experienced scheduling issues with senators. We weren’t able to schedule a meeting with Senator Karen Spilka. I called her office in early March, but were told that she’s got a terribly busy schedule the next few months, and that she doesn’t have time to discuss her bills with students. Looking back, it would have been helpful to arrange a meeting with one of her legislative aides, but I wasn’t as familiar with the system as I am now.

Updates
As of June 28, 2018, the bill had been passed and signed by the governor into Chapter 121 of the Acts of 2018.

For more information
View the bill:
malegislature.gov/Bills/190/H2172
Raise Up
raiseupma.org