

Black and Puerto Rican Caucus (BPRC) Forum
Testimony on behalf of the Connecticut Women's Education and Legal Fund (CWEALF)
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February 19, 2019

The Connecticut Women's Education and Legal Fund (CWEALF) is a statewide, nonprofit organization that advocates for and empowers women and girls in Connecticut, especially those who are underserved or marginalized. For forty-five years, CWEALF is a leading advocate of policy solutions that enhance women's economic security and combat discrimination at work.

CWEALF applauds the BPRC, Senate and House leadership, and the Governor and Lt. Governor for prioritizing paid family and medical leave legislation to address the needs of our state's families and workforce. Currently, both state and federal FMLA provide unpaid leave to eligible workers who have a serious medical condition, need to care for an ill or elderly family member, for the birth or adoption of a child, to serve as an organ or bone marrow donor, or to care for an injured member of the military.

While FMLA has provided job-protected leave to millions of workers since it was passed in the early 1990s, it is inaccessible to too many workers. Federal and state laws apply solely to larger companies of 50 or more employees and leave out approximately 40% of the workforce. In other words, forty percent of the current workforce risks their jobs if they become seriously ill, need to take care of an ill family member, or decide to grow their family. Research indicates that 62% of Black adults and 72% of Latino adults either do not qualify for FMLA or simply cannot afford to take unpaid time off³.

Even among workers covered by FMLA, many choose not to take leave because they simply cannot afford to forgo consecutive paychecks. Currently, just 17% of workers have access to paid family and medical leave through their employers. Among low-wage workers, who are disproportionately women and people of color, access to paid leave falls to just 6%¹.

When a worker is seriously ill, caring for a loved one who is seriously ill or elderly, or attending to the needs of a newborn baby, the last worry on their mind should be missing a paycheck or falling behind on paying bills or medical expenses. Workers who take unpaid leave experience higher incidences of bankruptcy and reliance on public assistance, and risk economic devastation for their families. Research shows that new mothers with paid leave are 39% less likely to use public assistance, 40% less likely to need food stamps, and 54% more likely to experience a wage increase in the following year².

Lack of Paid Family and Medical Leave is a Racial Justice Issue

Access to paid family and medical leave is a critical racial justice issue in our state. Due to racial wealth and wage gaps, workers of color often lack access to resources to absorb the financial impact of a family or personal medical emergency. People of color also experience greater health disparities, in part as a result of chronic stress linked to everyday racial and gender discrimination, which impacts people's ability to remain in the labor force, especially when they are unable to take time off from work. Paid leave is critical to help workers of color get the care they and their families need without jeopardizing their economic security.

Paid family and medical leave specifically impacts women of color, who are increasingly breadwinners, as well as primary caregivers, to their households. Eighty-one percent (81%) of Black mothers, 67% of Native mothers, and 52% of Latina mothers identify as the head of their households, compared to 50% of white mothers.⁴ Lack of access to paid family and medical leave also contribute to the gender wage gap: Black women earn 63 cents, Native women make 57 cents, and Latinas are paid only 54 cents⁵ to every dollar paid to white, non-Hispanic men.

Workers Need Access to Meaningful (“Real”) Paid Leave

Senate Bill No. 1 and House Bill No. 5003 offer a common sense, business- and employee-friendly solution to ensure all workers in Connecticut have access to paid family and medical leave. Both bills will create a “real” paid family and medical leave program that:

1. Is publicly administered: S.B. 1 and H.B. 5003 will create a paid family and medical leave insurance program that is administered through the Connecticut Department of Labor. Public administration of a paid family and medical leave program mirrors best practices from other states and ensures transparency of a program that should already exist as a human right.
2. Includes high wage replacement and job protection for all workers: Under S.B. 1 and H.B. 5003, all workers will contribute a very small percentage of weekly earnings to an insurance fund. Businesses will contribute \$0 into the program. Once eligible, workers will have access to up to 12 weeks of job protected paid leave and will receive 100% of their weekly earnings, up to a cap of \$1000/per week. Full wage replacement is critical to ensure that the program is accessible to low-wage workers, who cannot afford to miss any portion of their paychecks. When taking paid leave, it's also critical that workers have the peace of mind that they will return to their jobs when they return to work. Job protection is a critical component to ensure that workers will utilize paid leave and will not risk any part of their financial or occupational security while doing so.
3. Covers family and medical leave: S.B. 1 and H.B. 5003 includes the ability to take paid leave for family caregiving and medical reasons. Currently, the majority of FMLA claims are for a worker's own personal illness. Coverage of both family and medical leave will encourage men to take paid leave to care for their families to further equalize and caregiving responsibilities among men and women and normalize male caregiving in the workplace.

4. Expands FMLA's definition of family: The Campaign for Paid Family Leave strongly supports S.B. 1 and H.B. 5003's expansion of FMLA's definition of family member to include siblings, grandparents, grandchildren, children over the age of 18, and any other individual related by blood or whose close association with the employee is the equivalent of a family relationship. Due to cultural, economic, and social forces, the overwhelming majority of households today depart from the "nuclear family" model of a married husband, wife, and their children. This language mirrors paid family and medical leave legislation recently passed in New Jersey and paid sick leave ordinances in several municipalities across the country. The federal government has also used a similar definition in providing paid sick leave for federal contractors for decades.
5. Is portable to the employee and is based on earnings: To be eligible to take paid family and medical leave under S.B. 1 and H.B. 5003, a worker must earn \$2325 in one of the previous five calendar quarters. This standard is based on a part-time worker who earns about \$10/hour. Earnings may be with one or multiple employers and are not tied to the number of hours worked for one employer. This makes the program accessible to employees who juggle multiple jobs.

In 2016, a report ordered by the General Assembly determined through an actuarial and financial feasibility study that the proposed system in S.B. 1 and H.B. 5003 is self-sustaining and does not require yearly funding from the state to operate or distribute compensation. The total cost of compensation for requested leave and administration of the program is sustained by the recommended contribution of 0.5% (1/2 of one percent) of an employee's earnings. This also mirrors legislation that has passed since the report's release in Washington State and Massachusetts, the first states to pass paid family and medical leave without a pre-existing Temporary Disability Insurance (TDI) program.

Connecticut is now entirely surrounded by states with paid family and medical leave programs. Rhode Island and New Jersey already implemented and currently administer successful paid leave programs. New York passed paid leave in 2016 and Massachusetts passed legislation in July 2018. Vermont, New Hampshire and Maine are also taking steps to pass paid family and medical leave.

The time is now for Connecticut to pass paid family and medical leave to support workers of color and their families, who are currently least likely to have access to paid family and medical leave. Paid leave will also attract a young workforce, improve Connecticut's competitiveness in our region, and provide financial security to workers who need to take time off from work to care for their families, recover from an illness, or welcome a new baby. Workers simply cannot wait any longer. Thank you for your consideration.

1. Pew Research Center. Access to paid family leave varies widely across employers, industries. Retrieved from <http://www.pewresearch.org/fact-tank/2017/03/23/access-to-paid-family-leave-varies-widely-acrossemployersindustries/>.

2. Houser, Linda and Vartanian, Thomas P., "Pay Matters: The Positive Economic Impacts of Paid Family Leave for Families, Businesses, and the Public," Rutgers Center for Women and Work, January 2012.
3. National Partnership for Women & Families. Paid family and medical leave: A racial justice issue and opportunity. Retrieved from <http://www.nationalpartnership.org/our-work/resources/workplace/paid-leave/paid-family-and-medical-leave-racial-justice-issue-and-opportunity.pdf>
4. Institute for Women's Policy Research. Breadwinner mothers by race/ethnicity and state. Retrieved from <https://iwpr.org/wp-content/uploads/wpallimport/files/iwpr-export/publications/Q054.pdf>
5. National Partnership for Women & Families. Quantifying america's gender wage gap among key groups. Retrieved from <http://www.nationalpartnership.org/our-work/resources/workplace/fair-pay/quantifying-americas-gender-wage-gap-2016.pdf>