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20 Years after FMLA, We Can Do Better for Working Families

Seattle – Until 1993, most American workers were on their own when they welcomed a new baby or faced a personal or family health crisis. But on August 5, 1993 – 20 years ago today – the Family and Medical Leave Act (FMLA) took effect. FMLA guarantees qualified employees the right to take up to 12 weeks of unpaid leave for the birth or adoption of a child or for serious health conditions.

“FMLA was monumental – it was the first federal law that guaranteed job-protected family and medical leave for many US workers,” stated Marilyn Watkins, Economic Opportunity Institute policy director and spokesperson for the Washington Work and Family Coalition. “But in 2013, we must work together to pass the next generation of legislation that meets the demands of today’s working women, families, and the economy. It’s encouraging to see that cities and states are moving forward with paid sick days standards and family and medical leave insurance programs. Every hard working American deserves access to paid leave.”

FMLA has been successful, but now two decades later, it falls far short of the policies needed for today’s families and economy.

Since its implementation, FMLA leave has been used more than 100 million times by an estimated 35 million men and women. But FMLA has big gaps that undermine public health, the well-being of children and seniors, and economic recovery. Specifically, FMLA does not:

- Provide pay so workers can cover basic expenses when taking leave
- Include all family members in the definition of “family”
- Apply to more than 40% of workers – those in companies with fewer than 50 employees, who have been on the job less than a full year, or average fewer than 25 hours of work per week
- Provide for short-term leave for common illnesses, such as a cold or the flu

Washington’s Work and Family Coalition – whose members include women’s, senior, labor, business, faith, health, children’s advocacy, and other community organizations – is working to fill these gaps by passing Paid Sick Days and Family and Medical Leave Insurance (FMLI). Washington’s proposed FMLI legislation would provide up to 12 weeks to care for a new child or seriously ill family member, and 12 weeks for the worker’s own serious health condition. It would also provide benefits of 2/3 of weekly pay for most workers. The program would pay for benefits through payroll premiums shared by workers and employers, starting at $1.00 per week for the typical worker.

Federal assistance for state family leave insurance programs may be forthcoming. The State Paid Leave Fund proposed by President Obama has been included in the budget approved by the Senate Appropriations Committee.

“FMLA was an important first step, but without paid family leave and sick days, new moms are being forced to return to work too early, workers are jeopardizing their health by postponing treatment, and families tumble into economic crisis when a child becomes ill,” stated Watkins. “Family and Medical Leave Insurance and Paid Sick Days will make families healthier and help rebuild a strong middle class and thriving economy.”

California, New Jersey, and Rhode Island have family and medical leave insurance programs in place, and New York and Hawaii have statewide disability insurance covering all workers. Seattle, Portland, OR, New York City, San Francisco, Washington, DC, and Connecticut have adopted paid sick leave standards.

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The Economic Opportunity Institute is a nonprofit, nonpartisan public policy center dedicated to building an economy that works – for everyone. Learn more: www.eoionline.org.

The Washington Work and Family Coalition includes representatives of seniors, women, labor, health professionals, children’s advocates, faith communities, low-income workers, employers, non-profits and other organizations working to create access to paid sick days, paid family and medical leave and improve modern workplace standards.