



## **Women Need Paid Family Leave and Paid Sick Leave**

**August, 2014**

### **What is sick leave and family leave?**

Sick leave refers to time off for employees dealing with their own personal health and well-being, though some employees do use this time for the care of others. Family leave refers to time off for employees dealing with issues regarding the health and well-being of others.

### **What current policies are in place in the U.S. to promote and protect paid sick leave?**

The Family and Medical Leave Act of 1993 grants 12 weeks of job protected unpaid leave to workers to account for issues like recovering from illness or surgery, care for new children or care for seriously ill spouses, parents, or children<sup>1</sup>. Some states also have paid family leave laws to supplement FMLA's benefits, including California, New Jersey and Rhode Island.

Although FMLA ensures job protected leave for some workers, many workers cannot afford to take it because it is unpaid. According to a March 2013 survey<sup>2</sup>, only 12 percent of all U.S. workers—male and female—get paid family leave. While 65 percent get paid sick leave and 41 percent get paid personal leave, these numbers still leave a substantial proportion of U.S. workers who are not afforded such benefits. The FMLA only covers a particular group of employees—those who've worked with the same employer for at least 12 months and over 1,250 hours at companies with over 50 employees *or* at an organization within 75 miles of their initial job site<sup>3</sup>. If you and your employer do not meet these criteria, you are not eligible for benefits under the FMLA.

### **How does paid leave impact women workers?**

72 million women over 16 years old are labor force participants—either currently working or looking for work. Equitable paid leave is an issue that impacts 46.8 percent of the entire U.S. workforce<sup>4</sup>. As our society still views caretaking as an unpaid social duty of women, we still have millions of female workers placed in a bind where they must choose between their paycheck and caring for their families. Improving current paid sick leave and paid family leave, at a minimum, will help make this decision easier on women – especially those who are heads of households and primary caretakers.

Women workers are also disproportionately low-wage workers. According to the National Women's Law Center, nearly two-thirds of all minimum wage workers and nearly three-fourths of tipped minimum wage workers are women<sup>5</sup>. Many of these women are employed in industries that are traditionally coded as "women's work" and have traditionally underpaid women workers: child and elder

care, housekeeping and food service. Paid leave would help millions of women in these job categories take time for valuable self-care and care for others.

### **Paid Parental Leave, Paid Sick Leave the Norm in other Countries**

The U.S. currently lags behind nearly all other nations in not providing for paid family and paid sick leave. Currently, the United States, Papua New Guinea and Suriname are the only countries out of 193 U.N. member nations that do not offer paid maternity leave. Women workers can access anywhere from less than 14 weeks to as much as 78 weeks paid maternity leave varying by country, and many countries offer the same or similar coverage to fathers. A number of countries pay parents on leave 100 percent of their salaries.<sup>6</sup> As to paid sick leave, the U.S. is one of nine countries out of 193 where workers are not entitled to paid sick leave; sick leave benefits are generally provided by employers and sometimes by the country's social security program, or both.<sup>7</sup> Paid sick leave is guaranteed for as little as one week up to 26 weeks.<sup>8</sup>

The International Labour Organization (ILO) lists the United States as not having ratified any of the three ILO Maternity Protection Conventions of 2000 which set out a number of protective policies, including 14 weeks of leave at a rate of pay at least two-thirds of previous earnings, paid by social security, public funds or in a manner determined by national law and practice where the employer is not solely responsible for payment. The ILO is a United Nations agency dealing with labor issues, setting international standards for that address a employment conditions, compensation and worker protections.

### **What current legislative efforts are in the works to expand paid sick leave for U.S. workers?**

The **Family and Medical Insurance Leave Act** (S. 1810/H.R. 3712), sponsored by Sen. Kirsten Gillibrand (D-N.Y.) in the Senate and Rep. Rosa DeLauro (D-Conn.) in the House, would expand partial paid leave for workers. Also known as the **FAMILY Act**, this legislation would guarantee full and part-time employees in any company, regardless of size, access to partial paid leave for health or caretaking reasons. As women disproportionately bear the brunt of care work, partial paid leave would make taking time off to take care of a new baby or an ill family member more affordable.

### **Where can I get more information about paid sick leave?**

To learn more about the FAMILY Act, check out the National Partnership for Women and Family's fact sheet at <http://www.nationalpartnership.org/research-library/work-family/paid-leave/family-act-fact-sheet.pdf>.

For more information on paid leave standards around the world:

[http://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms\\_124442.pdf](http://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms_124442.pdf)

For NOW's positions on economic equity, visit <http://now.org/issues/economic-justice/>

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<sup>1</sup> Jane Farrell and Sarah Jane Glynn, Center for American Progress, "The FAMILY Act: Facts and Frequently Asked Questions," December 12, 2013. <http://americanprogress.org/issues/labor/report/2013/12/12/81037/the-family-act-facts-and-frequently-asked-questions/>

<sup>2</sup> Thomas E. Perez and Erica L. Groshen, U.S. Department of Labor, "National Compensation Survey: Employee Benefits in the United States, March 2013," September 2013. <http://www.bls.gov/ncs/ebs/benefits/2013/ebbl0052.pdf>

<sup>3</sup> Jane Farrell and Sarah Jane Glynn, Center for American Progress, "The FAMILY Act: Facts and Frequently Asked Questions," December 12, 2013. <http://americanprogress.org/issues/labor/report/2013/12/12/81037/the-family-act-facts-and-frequently-asked-questions/>

<sup>4</sup> U.S. Department of Labor, "Quick States on Women Workers, 2010." <http://www.dol.gov/wb/factsheets/QS-womenwork2010.htm>

<sup>5</sup> National Women's Law Center, "Fair Pay for Women Requires Increasing the Minimum Wage and Tipped Minimum Wage," March 28, 2014. <http://www.nwlc.org/resource/fair-pay-women-requires-increasing-minimum-wage-and-tipped-minimum-wage>

<sup>6</sup> World Policy Forum, Global Maps, <http://worldpolicyforum.org/global-maps/is-paid-leave-available-for-mothers-of-infants/>, retrieved August 14, 2014.

<sup>7</sup> World Policy Forum, Global Maps, <http://worldpolicyforum.org/global-maps/are-workers-entitled-to-sick-leave-from-the-first-day-of-illness/>, retrieved August 14, 2014

<sup>8</sup> World Policy Forum, Global Maps, <http://worldpolicyforum.org/global-maps/for-how-long-are-workers-guaranteed-paid-sick-leave/>, retrieved August 14, 2014