The Family and Medical Leave Act

The year 2013 marked the 20th anniversary of the Family and Medical Leave Act (FMLA). This federal legislation requires employers to provide up to 12 weeks of unpaid, job-protected, sick leave for certain medical situations – either the employee or a member of that employee’s immediate family. The FMLA’s goal is to assist workers manage the often competing responsibilities of home and work. But many believe the FMLA falls short of providing real support for families.

To Be Eligible for FMLA, Employees Must:

<table>
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<tr>
<th>Requirement</th>
<th>Details</th>
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<tr>
<td>12 months</td>
<td>Have worked for their current employer for at least 12 months.</td>
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<tr>
<td>1,250 hours</td>
<td>Have worked for at least 1,250 hours over the previous 12 months.</td>
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<td>50 employees</td>
<td>Work at a location where at least 50 employees are employed by the employer within 75 miles.</td>
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The US Department of Labor estimates that two out of five workers do not qualify for FMLA leave because of these restrictions.

Unpaid Leave and FMLA

The FMLA only allows unpaid leave. Because it is unpaid, many workers cannot afford to take the leave even when they need to.

 Paid Leave

However, even though the FMLA does not require it, a near majority of those that do take leave under the act received some pay while on leave – 48 percent report receiving full pay and another 17 percent received partial pay, usually but not exclusively through regular paid vacation leave, sick leave, or other “paid time off” hours.

FMLA Nationally

Only three states, California, New Jersey and Rhode Island, offer paid family and medical leave, and all fund their programs through employee-paid payroll taxes. New Hampshire has considered legislation to offer paid family and medical leave, but no proposals have become law.
New Hampshire Families

Of the almost 315,000 women in the New Hampshire workforce, almost 110,000 have children under 18 years of age, so paid family leave could offer a benefit to a substantial number of women. That does not include those workers who might rely on paid family medical leave to care for parents, spouses or other non-child family members.

NH Women in the Workforce With Children

110,000

NH Women in the Workforce Without children

205,000

Children 6 to 17 years old only

70,126

Children under 6 years & 6 to 17 years old

15,165

Children under 6 years old only

23,624

New Hampshire Families

Effect on Women

The lack of paid family leave appears to burden women more than men. A study asked subjects to review fictitious applicants for a job. Holding all else equal, “evaluators rated mothers as less competent and committed to paid work than non-mothers, and consequently, discriminated against mothers when making hiring and salary decisions.” There was no penalty against fathers.

Paid Leave Nationally & Internationally

In addition maternity leave policies in the United States fall short compared with the rest of the world. According to the UCLA World Policy Analysis Center, the US is the only wealthy country that has no nationwide paid leave policy for mothers at all. Researchers have studied the potential economic impacts of paid family leave. Among the findings are that paid family medical leave can increase overall labor force participation, and that companies that offer paid family leave see increased employee retention.

Our mission is to promote opportunity & equality for women & girls in New Hampshire through research, education, philanthropy & advocacy.