



# GENDER MATTERS

from the New Hampshire Women's Foundation

A Look at Gender Statistics from New Hampshire and Beyond  
Compiled by the New Hampshire Women's Foundation

## DECEMBER 2016 REPORT

## Federal and State Family Medical Leave Policies

The Family and Medical Leave Act (FMLA) requires employers to provide up to 12 weeks of unpaid, job-protected, sick leave for certain medical situations — either for the employee or a member of that employee's immediate family.

### TO BE ELIGIBLE FOR FMLA, EMPLOYEES MUST:

**12**  
MONTHS 

Have worked for their current employer for at least 12 months.

**1,250**  
HOURS 

Have worked for at least 1,250 hours over the previous 12 months.

**50**  
EMPLOYEES 

Work at a location where at least 50 employees are employed by the employer within 75 miles.

The U.S. Department of Labor estimates that 40 percent of workers do not qualify for FMLA leave because of these restrictions.

60% ELIGIBLE

40% INELIGIBLE

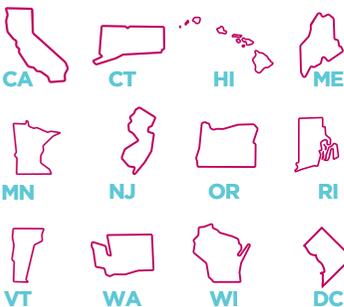
#### Unpaid Leave

The FMLA only allows unpaid leave. Because it is unpaid, many workers cannot afford to take the leave even when they need to. Forty six percent of workers qualified for FMLA leave did not take the full amount because they said they could not afford to.

VS

#### Paid Leave

Even though the FMLA does not require it, estimates suggest that a significant number of individuals 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.<sup>1</sup>

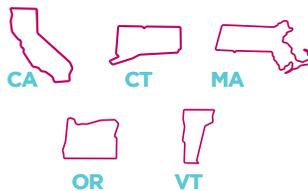


#### EXPANDING FMLA

Eleven states — as well as the District of Columbia — have created legislation expanding the benefit, in the belief that the FMLA falls short of providing sufficient support for families. These state policies extend the benefit in different ways, to firms with fewer than 50 employees and/or to cover different family members' illnesses or needs.

#### REQUIRED PAID SICK LEAVE

Five states currently require employers to provide paid sick leave to their employees.



#### PAID LEAVE THROUGH THE STATES WORKFORCE DISABILITY PROGRAM

Three states currently offer paid family and medical leave through the state's workforce disability program. Each of these programs are funded through employee-paid payroll taxes.



#### THE GRANITE STATE

New Hampshire has considered legislation to offer paid family and medical leave, but no proposals have become law. In states that haven't adopted any FML statutes, the federal FMLA regulations apply to employers that have at least 50 employees..

# IN NEW HAMPSHIRE

## PAID SICK LEAVE



**NH WORKERS DO NOT HAVE ACCESS TO PAID SICK LEAVE**

According to a recent analysis by the The Carsey School of Public Policy at UNH, approximately 63 percent of New Hampshire workers have jobs which do not provide paid sick leave.<sup>2</sup> Access to paid sick leave also varies by the size of the firm in New Hampshire. Slightly less than 40 percent of those in firms with less than 25 employees have access to paid sick leave compared to 90 percent in firms with 250 or more.

### ACCESS TO SICK LEAVE AND TO FAMILY MEDICAL LEAVE



### PAID FAMILY LEAVE

Firms offering paid family leave — that is paid leave to cover absence due to one’s own illness, a parent’s illness or other family care — is much lower than those offering paid sick leave. In New Hampshire in 2016, only 32 percent of workers had access to all three types of support. Here too, the size of the firm had a big impact on whether an individual had access to this broader benefit. 47 percent of those in firms of 250 or more had access to this benefit compared to 32 percent in smaller firms.

In 2011, the New Hampshire Department of Employment Security conducted a survey of paid family leave in New Hampshire. According to that analysis, about 10 percent of New Hampshire firms with fewer than 10 employees offered paid family leave to full-time workers. By comparison, 30 percent of responding firms with 250 or more employees offered paid family care leave to full-time workers. Small firms were half as likely to offer paid family leave to part-time employees.<sup>3</sup>

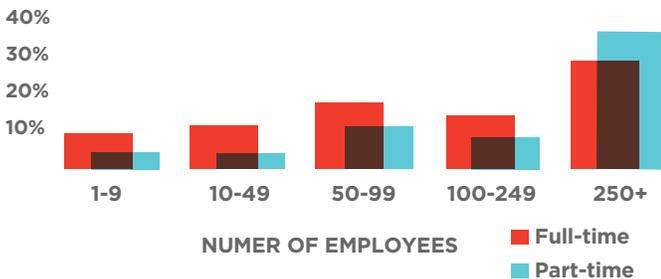
The increase in the share of firms over 250 offering family medical leave is suggestive of the fact that this benefit is growing in the private and public sector, this reflecting a broader trend towards offering this benefit at the state level.



#### PAID FAMILY LEAVE

- ONE’S OWN ILLNESS
- A PARENT’S ILLNESS
- FAMILY CARE

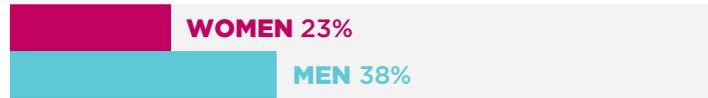
#### PAID FAMILY LEAVE OFFERED BY NUMBER OF EMPLOYEES IN THE FIRM



### ACCESS BY GENDER



WOMEN WERE 20 PERCENT LESS LIKELY TO HAVE ACCESS TO PAID FAMILY LEAVE — FOR THEIR OWN ILLNESS, PARENTAL LEAVE AND OTHER FAMILY CARE — THAN MEN.



Only 23 percent of women had access to paid family leave compared to 38 percent for men. This was driven in large part by the fact that women are less likely to have jobs that provide paid family and medical leave.

#### Resources

- 1.) <http://www.dol.gov/asp/evaluation/fmla/FMLA-2012-Technical-Report.pdf>
- 2.) Paid Family and Medical Leave in New Hampshire, 2016. <http://scholars.unh.edu/cgi/viewcontent.cgi?article=1282&context=carsey>
- 3.) <http://www.nhes.nh.gov/elmi/products/documents/benefits-2011.pdf>



new hampshire  
**WOMEN'S FOUNDATION**

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

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