

February 6, 2023

Speaker Kevin McCarthy
U.S. House of Representatives
Washington, DC 20515

Minority Leader Hakeem Jeffries
U.S. House of Representatives
Washington, DC 20515

Majority Leader Charles Schumer
United States Senate
Washington, DC 20510

Minority Leader Mitch McConnell
United States Senate
Washington, DC 20510

Dear Speaker McCarthy, Leader Jeffries, Leader Schumer, and Leader McConnell:

Family Values @ Work (FV@W) and our movement network grew from the reality that valuing caregiving and enabling people to be good providers and family members are essential to achieving racial, gender, and economic equity. Our movement has shaped the debates around Paid Sick and Safe Days (PSSD) and Paid Family and Medical Leave (PFML), engaged a wide range of partners, and guided the development of the most inclusive policies to date, and with other partners passed paid leave in 12 states including Washington, D.C., and paid sick and safe days in more than 50 jurisdictions.

As you all know well, thirty years ago yesterday, President Clinton signed the Family and Medical Leave Act (FMLA), which established that (many but not all) workers could take unpaid, job-protected leave to care for themselves or (some of their) families. It was the first, and so far only, national law protecting workers needing time to care.

It was a critical victory as the first federal law establishing that having a family shouldn't cost you your job or health insurance. Yet the FMLA excludes 40 percent of the workforce, and many who are eligible cannot take the time they need because they can't afford to be without pay. The law's narrow definition of family leaves out many who need time to care for a loved one.

The greatest way to honor this anniversary of the FMLA would be to prioritize the passage of job-protected Paid Family and Medical Leave during the 118th Congress.

Our movement has brought together more than 2,000 diverse partner organizations and engaged thousands of people affected by the lack of paid family and medical leave. We fight for these issues because we know the building blocks of upward economic mobility—job retention, raises, promotions, and asset development—depend on access to paid family and medical leave, paid sick and safe days, and affordable child care. When taking time for caregiving leads to the loss of a job or pay, economic opportunity dries up.

We know from experience that without prioritizing accessibility, affordability, and adequate duration of leave, a paid leave program will not meet the needs of millions of Americans. The following principles should guide the creation of policy moving forward. Federal PFML policy must:

- **Be equitable in its impact**, especially considering the needs of low-wage, BIPOC, female, LGBTQ, part-time, and nontraditional workers;
- **Support healthier outcomes** across the age span for all workers and families;
- **Ensure that every worker has a job to come back to after taking leave**;
- **Protect the gains of states** that paved the way for our proposed federal advances.

At a *minimum*, paid leave must include the following policies to promote equitable access and healthier outcomes:

- **Ensure a universal permanent paid leave program.** State experiences show that it takes many years to implement a program that voters have time to access and take advantage of. Permanence will ensure that all who need paid leave can access it.
- **Include all four FMLA-covered conditions in a permanent program**;
- **Make benefit amounts progressive and affordable.** Benefits should start at **no less than 85% replacement of usual wages for the lowest earners.**
- **Maintain a minimum of 12 permanent weeks of leave.**
 - 12 weeks is often not enough to care for a dying parent, welcome a new child, or receive treatment and recover from serious health conditions such as cancer. Workers in physically demanding jobs, disproportionately BIPOC workers, would be especially harmed by reducing weeks of leave.
 - Many common surgeries require at least 6 to 8 weeks of recovery (assuming no complications), including C-sections (which account for [32% of births](#)). Therefore, 8 weeks would still force some to return to work before medically ready.
- **Keep eligibility requirements simple, understandable, and based on currently collected data.** State programs typically look at data from 4 of the last 5 completed quarters. The most recently adopted standards in Oregon and Colorado set a threshold of \$1,000 in earnings in the lookback period and provide a good model for equitable access.
- **Require employers seeking reimbursement to meet every federal standard.** Employers should not be able to seek federal reimbursement unless they meet all programmatic standards at a minimum of either the federal or state program.
- **Allow state programs to continue operating.** States will need at least a three-year window to comply with all federal standards, including federal reimbursement for

federal base benefits, administrative costs, and technology upgrades to interface with the federal program.

We look forward to working with this Congress to champion guaranteed paid family and medical leave, paid sick and safe days, and all of the policies we know create shared prosperity for working people including affordable child care, living wages, and access to healthcare. The families we represent literally cannot afford anything less than a comprehensive paid leave program. Together, we can transform the nation's care economy.

Sincerely,

National Partners

Family Values @ Work
Caring Across Generations
Main Street Alliance
Poder Latinx
ROC United

Arizona

Corazón Arizona

California

BreastfeedLA
California Partnership to End Domestic Violence
California Work & Family Coalition (Family Values at Work/Fiscal Sponsor)
Caring Across Generations
Family Caregiver Alliance
Human Impact Partners
Los Angeles Alliance for a New Economy
Nevada County Citizens For Choice
Our Family Coalition
Public Counsel
Restaurant Opportunities Centers of California
Santa Clara County Wage Theft Coalition
Watsonville Law Center/Salud Para La Gente

Connecticut

Connecticut Women's Education and Legal Fund (CWEALF)

District of Columbia

DC Jobs With Justice

Jews United for Justice (JUFJ)

Many Languages One Voice (MLOV)

The Restaurant Opportunities Center DC (ROC DC)

Hawaii

Hawaii Children's Action Network Speaks!

Illinois

American Medical Women's Association

Women Employed

Louisiana

The Restaurant Opportunities Center of New Orleans (ROC NOLA)

Maine

Maine Women's Lobby

Maryland

Job Opportunities Task Force (JOTF)

United Workers

Massachusetts

Coalition for Social Justice

Mississippi

The Restaurant Opportunities Center of Mississippi (ROC MS)

Nevada

Make It Work Nevada

New Jersey

New Jersey Citizen Action

New York

Citizen Action of New York

North Carolina

North Carolina Justice Center

Oregon

Family Forward Oregon

Pennsylvania

The Restaurant Opportunities Center of Pennsylvania (ROC PA)

The Women and Girls Foundation

Rhode Island

Economic Progress Institute

Texas

Workers Defense

Wisconsin

9to5 - National Association of Working Women, Wisconsin Chapter