



**Department of Justice, Peace and Human Development
Office of Domestic Social Development**

**Paid Family Leave
February 2019**

Following the passage of the *Family and Medical Leave Act of 1993* (FMLA), all qualified employees in the United States are entitled to 12 weeks of unpaid leave for family or medical reasons, including for the serious health condition of the employee, parent, spouse or child, pregnancy or care of a newborn child, or for the adoption or foster care of a child. The bishops' conference had long supported the principle of family leave before the FMLA became law, as reflected in their statements, *Economic Justice for All* (207-208) and *Putting Children and Families First* ("For seven years our conference has called for a law to protect people who have to take time away from their jobs to handle serious family responsibilities. Parents should not worry about losing their jobs when they welcome a new child, nurse a sick spouse, or comfort a dying parent"). The USCCB also supported the *Healthy Families Act of 2005*, which would have provided a minimum of seven days of paid sick leave per year to full-time workers, but the legislation did not pass. Finally, in the 2017 tax reform debates, the USCCB supported the provision in the Senate bill that provides tax incentives to employers who provide paid family and medical leave, which did become part of the final tax law.

There is no federal law requiring paid family and medical leave, but members of the administration and members of Congress have expressed interest in the issue. According to the Bureau of Labor Statistics' National Compensation Survey, only 14% of workers have access to paid family leave, compared to 88% of workers who have access to unpaid family leave.¹ Although 82% of American workers support paid family leave, they are divided roughly equally in preferring a federal mandate for paid family leave or allowing employers to choose for themselves.² Only four states – California, New Jersey, Rhode Island, and New York – along with some cities and counties, have implemented paid family leave laws. Washington state and the District of Columbia have passed laws that have yet to take effect. The United States is the only Organization for Economic Co-operation and Development (OECD) country that does not guarantee paid family leave.

There have been several recent federal proposals related to paid family leave. In last year's Congress, the *Strong Families Act* (S. 344) grants tax credits for employers who pay 100% wage replacement for family and medical leave for their employees. The *FAMILY Act* (S. 337) replaces 66% of wages, capped at \$1,000 per week, through joint payroll contributions of 0.4% of workers' wages

¹ Desilver, Drew, "Access to paid family leave varies widely across employers, industries," *Pew Research Center* (March 23, 2017).

² Stepler, Renee, "Key takeaways on Americans' views of and experiences with family and medical leave," *Pew Research Center*, (March 23, 2017).

split equally between employers and employees. President Trump's recent budget proposal included a provision for six weeks of leave paid for through the Unemployment Insurance program (UI). In addition, an AEI-Brookings working group proposed a bipartisan compromise of six weeks paid leave, at 70% wage replacements, capped at \$600 per week, paid for by payroll tax and cost cutting such that it would be budget neutral.³

The USCCB has not taken a position on any paid family leave legislation. It is expected that there will be new proposals in this Congress, but their passage is uncertain given the divisions in Congress. The USCCB is engaging, with Catholic Charities USA, in policy discussions to get a better understanding on how various proposals will potentially impact the Catholic, local, and national communities more broadly in the event that new federal legislation appears viable.

RESOURCES:

Economic Justice for All: http://www.usccb.org/upload/economic_justice_for_all.pdf

Laborem Exercens: http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_14091981_laborem-exercens.html

For more information, contact:

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³ Mathur, Aparna et al., "A paid parental leave policy Republicans and Democrats might agree on," *Brookings Institution* (June 6, 2017).