



January 16, 2005

**Testimony of Marilyn P. Watkins, Ph.D. to House Commerce and Labor Committee, House Bill 2392.**

Good afternoon. Thank you for allowing me to testify in favor of House Bill 2392 today. I am Marilyn Watkins, Policy Director of the Economic Opportunity Institute and chair of the Washington Family Leave Coalition. At least 30 organizations representing a cross section of voters from throughout the state have endorsed this legislation.

For 13 years, the Family and Medical Leave Act has protected American working families. In the debates prior to passage of the FMLA, some skeptics claimed the act would be hard on businesses and that companies would no longer hire women. But passage of the FMLA was followed by 8 years of strong economic growth and increasing numbers of women in the workforce across all occupations.

Studies have repeatedly shown that the majority of companies do not have problems with the FMLA. A 2003 survey of over 1,000 businesses in California found that family and medical leaves had become a “routine feature of the human resource management repertoire,” and “they seem to be managed with little difficulty.”<sup>1</sup>

An in-depth study of firms financed by the Sloan foundation found that while most firms had no problems with intermittent FMLA leaves, intermittent leave was a serious concern for a small number of managers. In most of these cases, however, what was initially reported as “abuse” of intermittent leave was associated with much broader problems of employee dissatisfaction and poor morale. When those management problems were addressed, problems of intermittent leave evaporated.<sup>2</sup>

As we have already heard, FMLA provides *unpaid* leave to about 60% of the workforce. As important as it is, for many families who are welcoming a new baby or experiencing a family medical crisis, it does not go nearly far enough. Since 1993, the economic, social, and demographic trends that led to the FMLA have continued, and made extending protections even more important. The share of new mothers in the workforce climbed through the 1990s, according to the U.S. Census Bureau.<sup>3</sup> And of course our population is aging. Four of every 10 workers now cares for an elderly parent or parent-in-law.

Most of us have had experiences with our own families that confirm these statistics. When my father had cancer surgery last summer, it was very important to him, my mother and me for me to be there with him.

Many states have extended protections to more workers. Maine, Vermont, and Utah extend FMLA protections to companies of 15 or more. Oregon has guaranteed parental leave to workers in companies of 25 or more since 1987, and has provided for up to 12

weeks of family and medical leave in companies of 25 or more since 1995. Annette Talbott, Deputy Labor Commissioner for Oregon confirmed in a phone conversation last week that coverage of those smaller companies has not been an issue, either administratively or politically. The major Oregon business lobbies, Associated Oregon Industries and NFIB, do **not** include raising the employer size threshold among the legislative goals published on their websites.

Many states provide expanded leave for new parents, including Connecticut, Iowa, Kansas, Louisiana, Maryland, Missouri, Minnesota, Montana, New Hampshire, and Tennessee. Five states (New York, New Jersey, Rhode Island, Hawaii, and California) provide **paid** leave for a worker's own illness or disability and paid leave for new birth mothers through statewide temporary disability insurance programs. California has added family leave insurance as well.

Of course most business owners respond with basic humanity when an employee has a family crisis – but a few do not. Workers sometimes fear even asking for time off when they know they have no job protections. Dropping the employer size threshold to 25 would provide critical protections to 330,000 additional Washington workers, according to Employment Security Department data of employment by firm size. Adding domestic partners recognizes changing family patterns, and is already standard practice among many Washington employers.

Passage of House Bill 2392 will be a modest but important step forward for the families of Washington state.

Thank you.

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<sup>1</sup> Ruth Milkman and Eileen Appelbaum "Paid Family Leave in California: Implications for Employers and Workers," Final Report for the Alfred P. Sloan Foundation, September 2004, p. 3. A US Department of Labor study found that 2/3 of employers find FMLA easy to administer, and 90% say it has not hurt profits: U.S. Department of Labor, "Balancing the Needs of Families and Employers: Family and Medical Leave Surveys," January 2001, Table 6.5.

<sup>2</sup> Ruth Milkman and Eileen Appelbaum "Paid Family Leave in California: Implications for Employers and Workers," Final Report for the Alfred P. Sloan Foundation, September 2004, p. 10.

<sup>3</sup> <http://www.census.gov/Press-Release/www/releases/archives/fertility/000329.html>.