



Opening Statement

COMMITTEE ON EDUCATION & LABOR

EDLABOR.HOUSE.GOV

The Hon. Robert C. "Bobby" Scott • Chairman

Opening Statement of Chairwoman Alma Adams (NC-12)

Subcommittee on Workforce Protections Hearing

Balancing Work, Health, and Family: The Case for Expanding the Family and Medical Leave Act

2175 Rayburn House Office Building

Tuesday, February 11, 2020 | 2:00pm

Today, we are gathered to discuss our responsibility to ensure that workers have access to family and medical leave to care for themselves and their loved ones.

All workers should be able to contribute to the economy knowing that, if personal health or family needs demand it, they can take leave from work without losing their jobs and their livelihoods.

In 1993, Congress took an important step toward establishing comprehensive leave when it passed the *Family and Medical Leave Act*, or FMLA.

Unfortunately, 27 years later, we have failed to build upon that legislation. As a result, federal law still leaves many workers without the right to take unpaid leave or unable to afford unpaid leave where they are eligible.

Workers are often excluded from the FMLA by a layered system of requirements that restricts who is eligible to take leave, for whom workers can take leave, and the reasons for which workers can take leave.

To be eligible, an individual must work for a covered employer, have worked for said employer for 12 months, and have worked 1,250 hours in the year before taking leave.

These restrictions, alone, leave out 44 percent of private sector workers—or 49 million workers—from the FMLA. They also disproportionately exclude low-income workers, working parents, and workers of color, who face higher rates of job turnover.

Even if a worker can take FMLA leave, federal law does not guarantee coverage for all family members and caregivers. The individuals a worker can take leave for have expanded over time. Yet, LGBT couples, domestic partners, and the 2.9 million grandparents exclusively raising their grandchildren still face a patchwork of policies that allow them to take leave in some states, but not others.

However, even if a worker is eligible for FMLA leave and fulfills the law's definition of "family," they may still be excluded because of their reason for seeking leave.

While the FMLA covers personal, infant, and family health needs, it does not cover a wide range of other reasons that workers might need to take leave, including parents taking time to be more involved in their children's schooling, individuals donating their organs to save lives, or family members taking time to grieve a child's death.

Finally, even if workers fulfill all FMLA requirements, most workers may not be able to afford to lose their wages as the FMLA does not cover lost wages during leave.

Nearly half of those eligible for FMLA cannot afford to take it, and nearly two-thirds of those who can still report financial difficulties.

All of these compounding barriers leave few workers actually able to take the leave they need. Yet, we know that access to paid, job-protected leave is critical for healthy families, businesses, and communities.

For families, paid family and medical leave means improved maternal and infant health as well as better long-term outcomes for children.

For businesses, it means stronger worker recruitment and reduced employee turnover.

And for the economy—which currently loses \$22.5 billion in wages each year because of inaccessible paid leave—it means more money in the pockets of American consumers and less need for public assistance.

Congress has the power to fully realize the benefits of paid leave for communities across the country.

Today, we will discuss how we can fulfill the promise of the FMLA by updating federal law to expand who is eligible for leave, who workers can take leave for, and the eligible reasons why workers take leave.

We will also discuss legislative solutions, like the *FAMILY Act*, that provide wage replacement for all workers so they can remain financially stable while on leave.

At the end of the day, this hearing is about making sure we can sustain our careers and livelihoods while giving ourselves and our loved ones the care needed to thrive.

I now yield to the Ranking Member, Mr. Byrne, for an opening statement.