

MELISSA SMITH

Dear members of the Labor Committee,

I come here today to show the members of this committee what a lack of Family Medical Leave protection looks like and what it costs your taxpaying constituents.

My name is Melissa Smith and I work at the drive-thru window of a national fast food chain restaurant, a franchise owned by a local company.

I had a child, my third, earlier this year. To give birth I took unpaid medical leave for three weeks. Three weeks after the birth of my baby, I wasn't really feeling ready to work because the drive-thru is much more strenuous a job than most people expect but I needed to earn money. It broke my heart to have to separate from my 3-week old child but I have no savings and simply could not afford to stay home with my newborn. I wish more than anything I could have taken the time to bond with my baby and recover from birth, but without a source of income it just was impossible. I called to inform my manager I was ready to return to work and she informed me that my position had been given away.

"Wait! FMLA is supposed to keep my job for me," I protested. Technically, the current Family and Medical Leave statute would not have protected me because I work for a franchise that employs fewer than 50 workers. Because she knew I was going to press the matter, she let me return but I am lucky to be assigned 18 hours each week, so my original job was not really saved for me. I am willing to work more hours, like I used to, but not allowed to so that the manager had already fired me and now someone else has my job as a full-time worker. None of us make enough to live, especially with children.

As a result of no longer having enough hours, I have had to apply for partial unemployment. It is the only way for me to survive since the job and hours I had before I went out on leave is no longer there.

Family and medical leave laws do not protect women like me when they give birth if they do not affect businesses like the small franchise for which I work. Even if I found a job at another franchise, the situation would be the same there, too. Unless a law is passed that requires employers of less than 50 employees to save the jobs of women out on maternity leave, women like me cannot support our children despite our willingness to work. And without an income replacement program for workers, new mothers like me will be forced to abandon our newborn children and to put their care in the hands of others. Situations like that should not happen in the United States.

Please pass HB 6932 for a Paid Family and Medical Leave program.