

# CLASP

Policy solutions that work for low-income people

Committee on Labor and Public Employees  
Connecticut General Assembly  
210 Capitol Avenue  
Hartford, CT 06106

February 13, 2019

Re: Written Testimony in Support of Senate Bill No.1 and House Bill no. 5003: *Paid Family and Medical Leave*

Dear Members of the Committee on Labor and Public Employees:

The Center for Law and Social Policy (CLASP) appreciates the opportunity to provide written testimony in support of Senate Bill No.1 and House Bill no. 5003: *Paid Family and Medical Leave*. As a national anti-poverty organization, CLASP works to improve the lives of low-income people by developing and advocating for federal, state, and local policies that strengthen families and create pathways to education and work. We advocate for and conduct research and analysis on job quality policies, including paid sick days, paid family and medical leave, and fair scheduling. In addition to working to develop these critical social policies, CLASP also advocates for the proper implementation and enforcement of these policies. We work closely with state and local agencies charged with implementing policies, labor enforcement agencies and advocates to improve policy implementation and foster systems change that increases access and improves services. We recognize that a law is only effective if it is correctly implemented and robustly enforced.

Most working families, especially low-income families and families of color, face considerable struggles balancing work and family demands. Rising economic inequality, which was further exacerbated by the Great Recession, has left too many families in a precarious economic situation. Furthermore, millions of workers hold low-wage jobs with shifting schedules, few if any benefits, and limited opportunities for advancement or career growth. Paid family and medical leave (PFML) is a critical work support that ensures workers have the necessary time to heal and care without jeopardizing their economic security. However, over 93 percent of low-wage workers have zero access to paid family leave.<sup>1</sup> Even when they do have access to unpaid

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<sup>1</sup> United States Department of Labor, Bureau of Labor Statistics, "Table 32. Leave benefits: Access, private industry workers," National Compensation Survey, March 2018, <https://www.bls.gov/ncs/ebs/benefits/2018/employee-benefits-in-the-united-states-march2018.pdf>.

family leave, most workers cannot afford to take the leave. For example, in Connecticut, just 40.6 percent of working adults are eligible for and able to take unpaid leave under the federal Family and Medical Leave Act.<sup>2</sup>

As more families struggle to balance work and family, such as the 459,000 adults in Connecticut who serve as family caregivers,<sup>3</sup> a paid family and medical leave program, such as the one proposed in Senate Bill No.1 and House Bill no. 5003 is crucial to the long-term economic health of Connecticut's families and overall economy.

CLASP, in partnership with Family Values at Work (FV@W), has been working with a number of state PFML implementing agencies and state advocate as they work on implementing or improving existing PFML programs. Through this work, a number of critical PFML implementation issues, challenges and lessons have surfaced that highlight the challenges low-wage workers, especially low-wage workers of color, experience trying and often failing to access paid family and medical leave. Both Senate Bill No.1 and House Bill no. 5003 have six critical elements that will ensure all workers, especially low-wage workers, can access and benefit from this new paid leave program. These include the following:

1. Provides a universal paid leave program

A universal paid leave program allows workers to take time to address serious family and medical needs as well as care for new children. This provision in Senate Bill No.1 and House Bill no. 5003 is important and similar to what has been effectively included in the existing six PFML states and the District of Columbia. We know that at various points in peoples' lives they will be faced with either caregiving responsibilities for a loved one or dealing with their own serious health issue. A broad program that recognizes these different caregiving needs will have the greatest reach, especially to low-wage workers and their families.

2. An expansive definition of covered employee and employer

An expansive definition of both employer and employee, ensures that the program is available to all workers, regardless of sector or employer size and whether they work full or part-time or are self-employed. This is vitally important as we see significant changes in the labor market. A recent piece by the US Bureau of Labor Statistics states: "Work today may involve multiple part-time jobs, working from home, obtaining work through a mobile device, and changing jobs frequently."<sup>4</sup> Senate Bill No.1 and House Bill no. 5003 recognizes the need for an expansive definition of employer and employee to address the changing

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<sup>2</sup> <http://www.diversitydatakids.org/data/ranking/529/working-adults-who-are-eligible-for-and-can-afford-fmla-unpaid-leave-share/#loct=2&cat=44,25&tf=17>

<sup>3</sup> <https://www.aarp.org/content/dam/aarp/ppi/2015/valuing-the-invaluable-2015-update-new.pdf>

<sup>4</sup> <https://blogs.bls.gov/blog/2019/02/12/tracking-the-changing-nature-of-work-the-process-continues/>

labor market and provide the greatest level of coverage to ensure low wage workers are not left out.

### 3. Sufficient wage replacement

While having access to paid leave is vital for many working families, the amount of wage replacement can really impact a worker's ability to take the leave. Experiences in California and New Jersey reveal that the low wage replacement rate may be partially responsible for low uptake rates of PFML by lower income families.<sup>5</sup> The 100% wage replacement level proposed in Senate Bill No.1 and House Bill no. 5003 will ensure low-wage workers can afford to take the leave when they need it.

### 4. Job Protection

Once again, the research in California reveals that many workers are afraid to take PFML because there is no guarantee that they can return to their job after taking the leave.<sup>6</sup> The fear of job loss is serious concern and can be a significant barrier for low-wage workers. By providing job protection and strong anti-retaliation provisions, Senate Bill No.1 and House Bill no. 5003, provides Connecticut workers' the assurance they need to be able to take leave without suffering economic repercussions.

### 5. Expanded definition of family

The expanded definition of family in Senate Bill No.1 and House Bill no. 5003 recognizes 21<sup>st</sup> century families, which are diverse and multi-generational. This will help more low-wage workers and their families access this important program.

### 6. Outreach and Education

One significant reason for the low-uptake of PFML in California, New Jersey and Rhode Island by low-wage workers, immigrant workers and workers of color has been due to limited funds for outreach and education.<sup>7</sup> Senate Bill No.1 and House Bill no. 5003 includes language about a public education campaign in the legislation –this is key to the successful implementation of a paid leave program.

CLASP strongly supports Senate Bill No.1 and House Bill no. 5003. If passed, Connecticut will be a leader in providing the most accessible paid leave program to date. Not only will the program help Connecticut's working families, especially low-income families, attain a level of economic security, it will serve as a real model for a national paid family and medical leave program.

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<sup>5</sup> [https://irle.ucla.edu/old/publications/documents/LeavesThatPay\\_FINAL.pdf](https://irle.ucla.edu/old/publications/documents/LeavesThatPay_FINAL.pdf) and <https://www.njpp.org/reports/boosting-families-boosting-the-economy-how-to-improve-new-jerseys-paid-family-leave-program>

<sup>6</sup> [https://irle.ucla.edu/old/publications/documents/LeavesThatPay\\_FINAL.pdf](https://irle.ucla.edu/old/publications/documents/LeavesThatPay_FINAL.pdf)

<sup>7</sup> <https://aspe.hhs.gov/system/files/pdf/255486/PFL.pdf> and <http://www.dlt.ri.gov/tdi/pdf/ripaidleavefinalrpt0416uri.pdf>

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