

Minnesota Children's Summit 2005: Smart Policies, Strong Families
Monday, March 28, 2005
Practicing Family Impact Analysis
1:45-2:45 p.m.

Family and Medical Leave Act (FMLA)

Background

- Attendees split into various groups. Give us an understanding of how it can work.
- What are our policy implications?
- Applying checklist to play analysis in most logical manner.
- We do not need to be experts in our topic.
- We can have different points of view.
- Not to pass judgment.

Introduction to FMLA

- Federal Law, passed in 1993, unpaid leave for:
 - Birth of a child
 - Adoption of a child
 - Foster care of a child
 - Care of a spouse or family member
 - Serious health condition
- Policy Discussion: Family Medical Enhancement Act of 2005
- MN has a MLA – brings threshold down to 25 people
- 6 weeks of covered time: birth of child/adoption
- Do disability policies automatically cover employer-based program? Employer choice, not a law.
- Principle 1
 - Support: yes; not financially, does support job security and give them time necessary to deal with responsibilities connected with family.
 - Incentives: not clear; 12 weeks leave might encourage others in family to help out; if a family member had time available to take off they wouldn't need an external support – would this replace public welfare/child care; child development time? Studies show that it is helpful; parents (statement) should be with children and it puts family in a bind. What percentage of companies employee 25 or less in MN?
 - Not MN numbers
 - 50 threshold (40% of workers excluded)
 - 25 threshold (29% of workforce excluded)
 - Too many people are excluded
 - Strengthen: yes, if they rely on them for child care rather we didn't say this or that. I do have a colleague taking FMLA for parent care between each break. Must work 1,250 hours.
 - Other ways to take paid leave? Do smaller companies get any assistance – no incentives.

- In general there is not any support available to small businesses. Not tax credit? Survey taken that reported co-workers didn't find it too hard to cover for others.
 - Certain family structures "assumed" are bothersome: connectedness by line of blood; assumption that taking 12 weeks off you can afford (potentially) so that doesn't deal with single parents.
 - Health care: does it get paid while you are off? Only if they pay your health insurance
 - Definition of family: parents children, step-children (based on marriage)
 - You also lose a quarter of a year for social security.
 - Do we need to add foster parents to definition of family?
 - We haven't defined policy during the course of the day. Supposedly it is an agreed upon course of action.
- Obligations: are we talking about divorce situations; silent on that issue; do you need to be a custodial parent? You are not receiving financial support to take care of the child; in a single mother case, taking care of a sick child how do you balance.
- If the proposal is better than what we have now should we make negative comments? What are you comparing it too?
- The proposal on the table – is it helpful. It is a starting point, but it doesn't go far enough.
- In the beginning FMLA was a beginning – not the end- we might find that we have gone too far.
- Would it be beneficial to look at what other counties have done?
- Health care policies in other countries – employers don't pay – employees do
- Research done on a broad scale – extended time.
 - Study done on DC study groups: over 75% said they would be happy to pay more.
- Is it a reward for a certain class of people – leave takers: white, married
- MN Coalition for Family Policy literature in our packets. Backs up statements, limitations
- Bill introduced by 4 different administrations – only recently enacted by Clinton administration – How can these be so difficult to support? Caring for babies or parents?
- Story: as an administration: 3 people leaving for pregnancy, how do you get the work done.
- Children's defense fund had comments that it was anti-family.
- Look at this group, 90% of us in room are women. We could be at home taking care of families. There are many of us here we could impact the change.
- Principle 5
 - Affect type of families: there are many families it doesn't help.
 - Single parent only one source of income.

- Doesn't recognize single gender families.
- Immigrant families is a problem – transnational getting a VISA, etc, to go overseas to care for a family member.
- Families with low-income/ by race/income
- Doesn't support families that don't fit the model – caring for an aunt (although you can make an argument in a person played a part in your life).
- Family owned businesses – geographical.
- It means only a small number of people can afford to have children – can't afford to take unpaid leave to take care of them. Encourages new generation to look at it differently.
- Native American person – married, has a job, can't afford to take time off.
- Workforce in general doesn't support having a family. Resentment by co-workers that “family” workers get to leave at 4:30 – not pulling their weight.
- One large organization in MN – allow young babies to come to work with mothers when they are nursing.
- Elite only – can't afford \$25.00/hour back-up child care for sick children.
- 10% of private sector companies on-site
- Quality childcare – not just “childcare.” We want workers to make a living wage.
- One reason we hear that young families are not having children is cost.
- Privileges some family relationships; discriminates against others.
- New policy does include caring for parent, spouse, etc, not limiting as federal law.
- Targeting: yes, it does discriminate
- Identify: if it added “paid” it would – otherwise, no, not inclusive
- Principle 1
 - Finances?
 - Job guarantee
 - Time for responsibilities
 - Time (12 weeks) may provide an investment (indirect)
 - Supports parent ability in this role
 - Early brain development research shows it is helpful
 - Many companies have less than 25 employees in MN (40% in nation)
 - Exclusion of many
 - Increase or decrease in reliance (childcare)
 - Assumption of a “type” of family structure (i.e., 2 parents) – cultural: close relations beyond parents/children
 - Less social security returns
 - Definition of family?
 - Mission absent parent obligation or maybe induce guilt
 - Assumes support could be obtained for absent person
 - Does the proposed change go far enough? It is a starting point from which we build.

- Comparison across the globe? Economic status, type of job- is this group the only one that takes FMLA?
- Employer or family left to bear most of the burden.
- Other policies interact with FMLA.
- For many it does not help (especially if one parent)
 - Cohabitation? Same-sex partners?
 - Translational issues (getting a visa) before care begins
 - Families: income, race
 - Families need to “fit” a traditional structure (extended) – can petition
 - Family business? Small (geography) employers
 - Workforce issues - \$ encourage family formation?
 - Quality childcare, cost of childcare
 - Policy seems to prioritize family relationships
 - If “paid” leave were added to law, would be more inclusive
 - This law/proposed policy change does not address transition back into the workplace after the “leave” is taken.
 - Immigration procedures need to be included as time allowed.