

The Opportunity

- Movement to make leave benefits available to all American workers has gained ground
- New laws so chance to craft them to insure non standard workforce is not left out
- Really important that policy considerations inform laws being developed AND those policy considerations are translated into clear legal language

Comparative Overview of PFML Laws

	Currently in effect				Beginning in future years		
	CA	NJ	NY	RI	DC	WA	MA
Self-employed workers can opt in	Yes	No	Yes	No	Yes	Yes	Yes
Number of weeks (own health)	52	26	26	30	2	12 14 with severe pregnancy complications	20
Number of weeks (family leave)	6	6	Current: 8 Fully phased in: 12	4	Family care: 6 Bonding: 8	12	12 26 for military caregiving
Wage replacement rate	60% to 70%, depending on income	67% (approx.)	Own health: 50% Family leave: Current: 50% Fully phased in: 67%	60% (approx.)	90% of income up to 40 times 150% of the D.C. minimum wage and 50% of income above that amount	90% of income up to 50% of the statewide average weekly wage and 50% of income above that amount	80% of income up to 50% of the statewide average weekly wage and 50% of income above that amount
Maximum weekly benefit (current)	\$1,173	\$637	Own health: \$170 Family leave: \$652.96	\$833	\$1,000	\$1,000	\$850

This chart offers a summary of key features of state paid family and medical leave laws. For more information on specific state laws, see A Better Balance's comprehensive comparison chart at <https://www.abetterbalance.org/resources/paid-family-leave-laws-chart/>.

PFL: A MODEL FOR INCLUSION OF ALL WORKERS

- Ideal way to cover workers left out of the traditional employee definition
- Need not be tied to traditional view of what an employee/employer relationship is
- Can be “portable” from job to job
- Broad coverage:
 - Programs cover full-time and part-time workers
 - Not contingent on business size
 - Most programs workers are covered regardless of citizenship or immigration status.

ISSUES TO CONSIDER

- Full inclusion as a major goal
- Opt in or mandatory coverage
- Who pays?
- Protecting against long employment duration and earnings requirements
- Protecting against long waiting periods
- Outreach and education
- New ideas, eg. MA coverage of 1099 workers

LESSONS LEARNED

- Need policy research and imagination
- Need real intentionality and understanding in drafting laws that take into consideration all the concerns of the emerging workforce
- Need organizing on the ground and education at the bargaining table emphasizing how important these issues are
- Need to be willing to go back and re-examine as we learn more about the non-standard workforce