

Paid Leave during the COVID19 crisis & beyond

- **Rutgers Center for Women and Work & The NJ Time to Care Coalition**
- **Why Prioritize Paid Leave**
- **National View on Paid Leave**
- **Paid Leave for New Jersey Workers**
- **The Future of Paid Leave**



Center for Women and Work



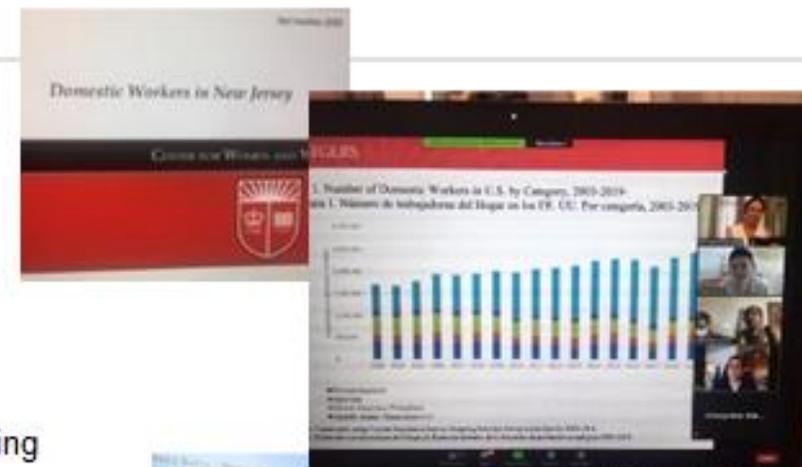
CWW engages in research, education and programming that promotes economic and social equity for women workers, their families, and their communities.

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 cww.rutgers.edu

RUTGERS

Advancing Research

- Family leave insurance implementation
- NJ Earned sick leave implementation
- Domestic workers (prevalence/working conditions)
- Unpredictable scheduling practices
- Working parents and household labor during the COVID-19 lockdown
- Women and minorities in registered apprenticeship programs
- Health status of Asia's elderly and gender differences in access to healthcare
- COVID-19 disparities by gender and wealth (Philippines)
- Gender dimensions of remittances



Center for Women and Work: NJ Paid Family Leave Implementation Study

New Jersey is one of a handful of States that offers a paid family leave program. Most employees in NJ are eligible for TDI/FLI to care for themselves or a loved one or to bond with a new baby or adopted child. Low-income workers, fathers, and some communities have lower than expected utilization of the program. This research will help to understand what barriers there may be to taking TDI/FLI and what ideas participants have to make improvements.

Participants will be asked for up to one hour of their time to participate in:

- A focus group with up to eight other people; or,
- an interview.

Participants will receive:

\$50 gift card

Location:

All interviews and focus groups will be done virtually.

We are interested in talking with:

- Workers who are seeking leave or who have recently taken paid leave, especially those who earn below \$60,000.
- Employer representatives responsible for implementing paid leave policies, including those from small businesses.
- Representatives/workers from organizations who interface with NJ residents who are likely to benefit the most from paid family leave (maternal/infant health programs, home visitors, hospice, child care centers, birthing centers, doula programs, support group leaders, etc.)

If you are interested in participating or have questions, please contact:

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or Ludine Daux Ludine.Daux@rutgers.edu

NJ Time to Care Coalition



www.njtimetocare.com/join-now

Yarrow Willman-Cole

yarrow@njcitizenaction.org

973-368-5112

Workers fighting for their rights!

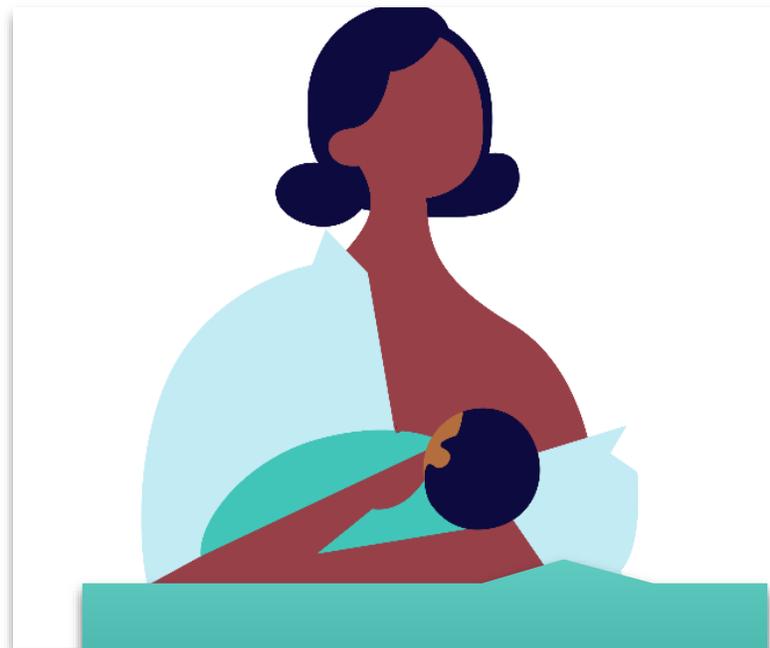


What is Paid Leave?

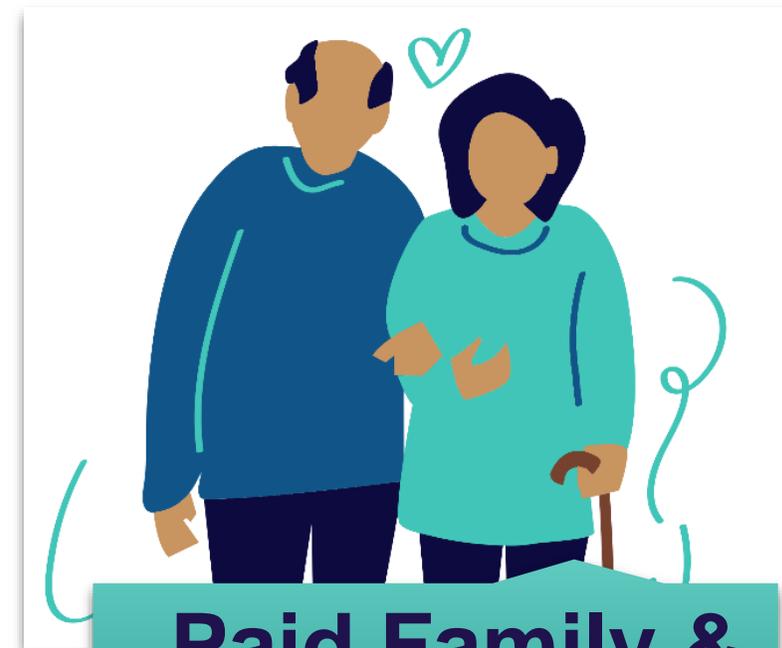
What's in a name?



**Paid Sick and
Safe Days**

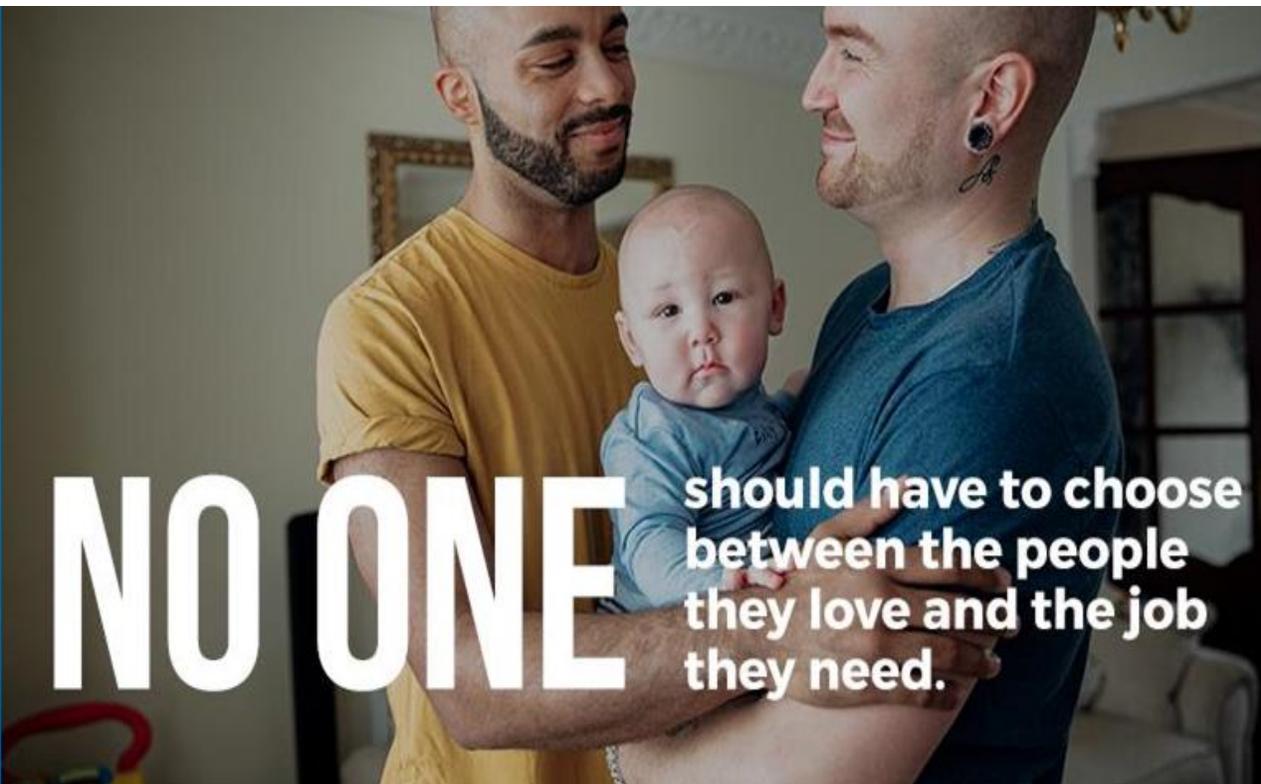


Parental Leave



**Paid Family &
Medical Leave**

Why Paid Leave Matters!



NO ONE should have to choose between the people they love and the job they need.



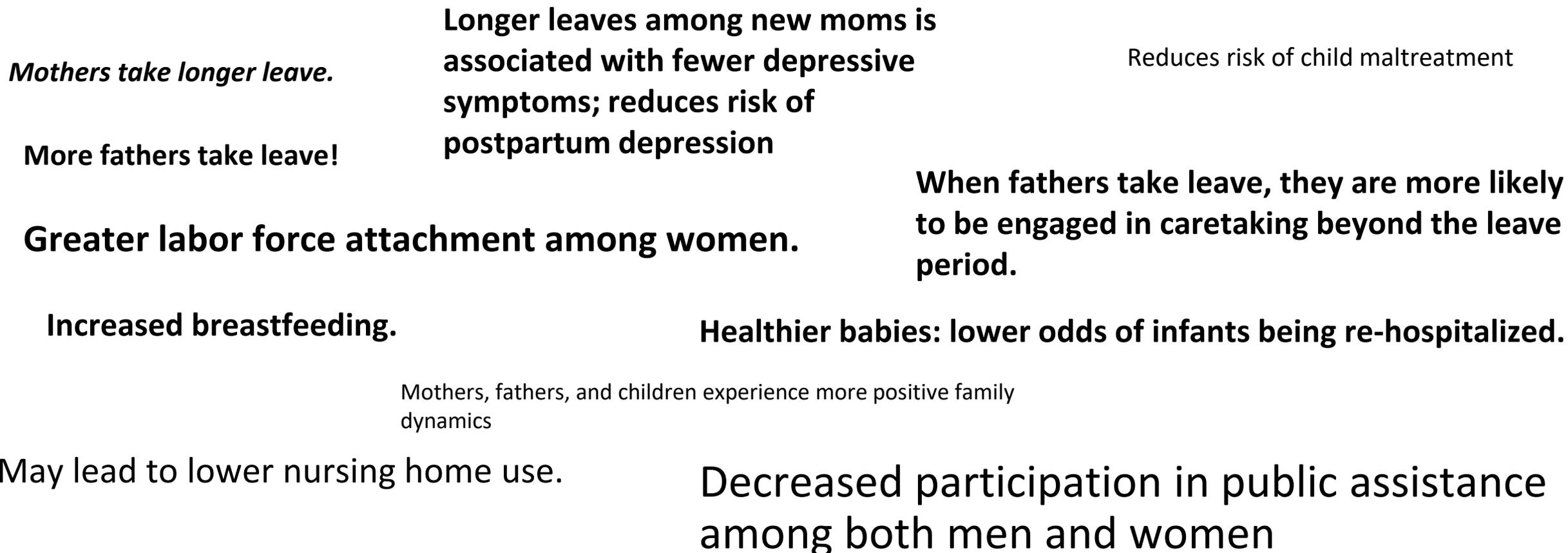
25% of adults working in the U.S. have been fired or threatened with job loss for taking time off to recover from an illness or care for a loved one.

Source: Center for American Progress.

Why Prioritize Paid Leave

Paid leave benefits everyone: employers, workers, families, and communities.

Paid leave is an evidence informed strategy that can work toward achieving: Gender equity. Racial equity. Health equity.



Paid Family Leave Ensures Health Equity for All

Paid family leave improves...

MOTHER'S HEALTH:

- Provides time for women to physically recover from childbirth.
- Provides opportunities for women to obtain the health benefits associated with increased levels of breastfeeding initiation.
- Reduces postpartum depressive symptoms and postpartum depression.

CHILDREN'S HEALTH:

- Reduces infant mortality rates and improves breastfeeding initiation (especially among low-income mothers) and continuance.
- Lowers health risks during early childhood that rely on parental input.
- Allows parents to appropriately care for adopted children's health, by facilitating their secure attachment.
- Helps reduce rates of child maltreatment and neglect.
- Improves mother-infant interactions and involvement, which is shown to improve infants' health.

PAID FAMILY LEAVE (PFL) provides not only economic benefits to employers, but also positive public health benefits. Below are key takeaways from the public health literature connecting PFL to improved health for new mothers, children, and their families. Policies that guarantee paid family leave may especially help low-income workers and families attain their full health potential, as this population is the least likely to have access to employer-provided PFL.



WHOLE FAMILY HEALTH:

- Improves stress associated with having children in marital relationships.
- Reduces low-income mothers' stress and anxiety associated with childbirth and childrearing.
- Provides relief to pregnant mothers affected by intimate partner violence.

By Stefan Pichler, Katherine Wen, and Nicolas R. Ziebarth

COVID-19 Emergency Sick Leave Has Helped Flatten The Curve In The United States

“...emergency paid leave last year prevented more than 400 Covid-19 cases per day..”

...whether the coronavirus disease 2019 emergency sick leave provision of the bipartisan Families First Coronavirus Response Act (FFCRA) reduced the spread of the virus. Using a difference-in-differences strategy, we compared changes in newly reported COVID-19 cases in states where workers gained the right to take paid sick leave (treatment group) versus in states where workers already had access to paid sick leave (control group) before the FFCRA. We adjusted for differences in testing, day-of-the-week reporting, structural state differences, general virus dynamics, and policies such as stay-at-home orders. Compared with the control group and relative to the pre-FFCRA period, states that gained access to paid sick leave through the FFCRA saw around 400 fewer confirmed cases per state per day. This estimate translates into roughly one prevented case per day per 1,300 workers who had newly gained the option to take up to two weeks of paid sick leave.



Nearly **1 out of 4 women** return to work within just 2 weeks of giving birth with serious consequences for their health and that of their children.

Paid Family Leave Benefits

1000 Days Report

Paid Leave Can Help Improve Outcomes for Moms and Babies

Evidence shows paid leave can help:



Reduce the risk of pregnancy-related health complications



Reduce the risk of postpartum depression



Increase breastfeeding rates, including initiation and duration



Reduce the risk of infant mortality



Reduce the incidence of babies born preterm or low-birthweight



Improve child health during infancy and childhood



Ensure safe and healthy child development

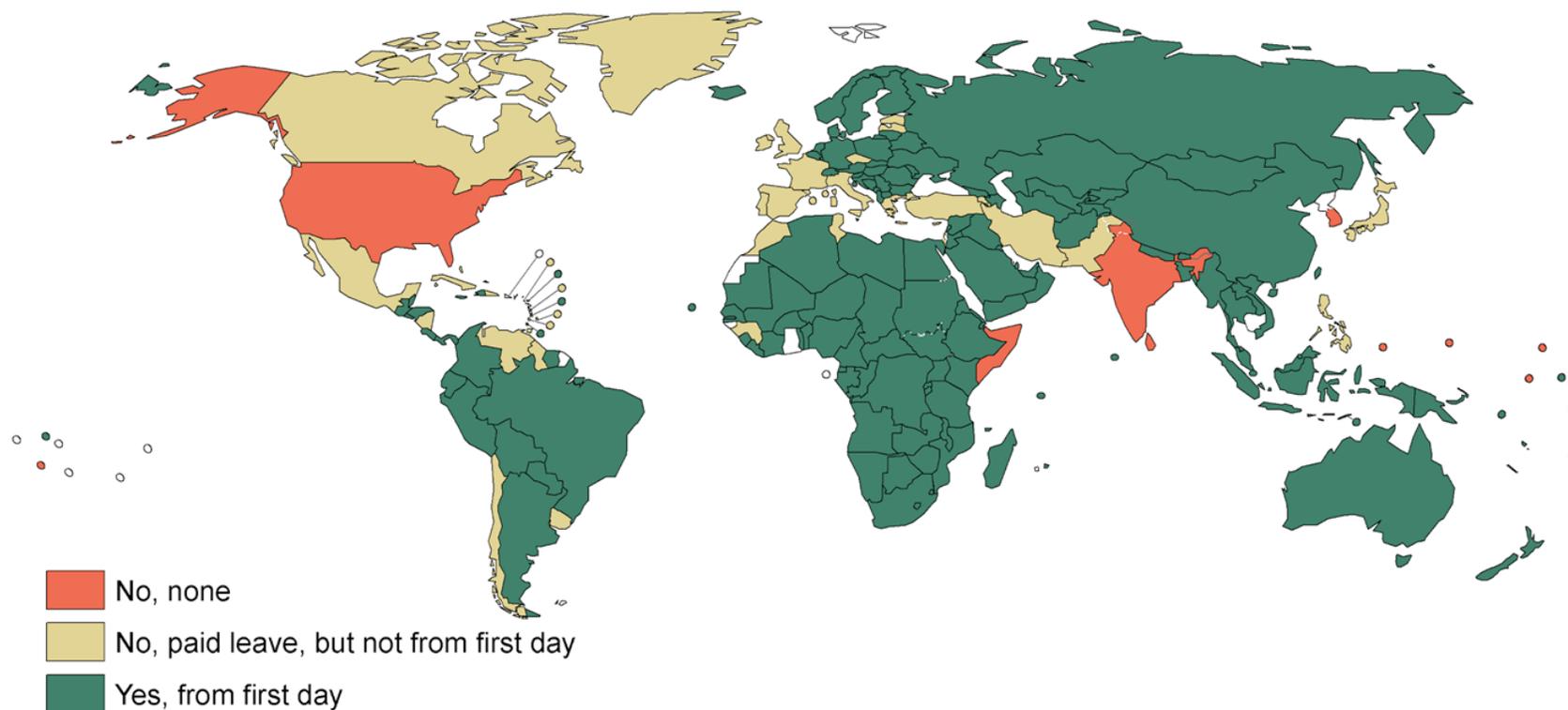


Reduce disparities in access to care and health outcomes

The Paid Leave Situation in the US and vs the World

Paid Sick Days Globally

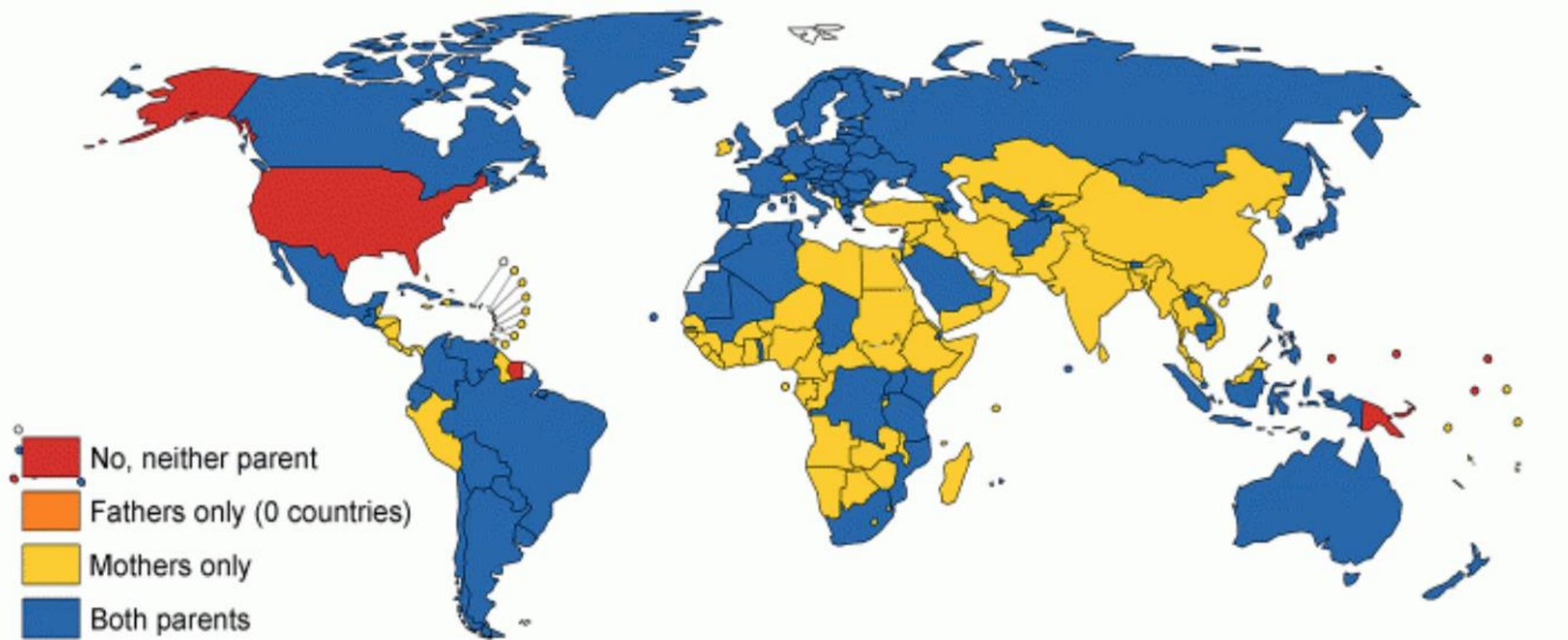
Are workers entitled to paid sick leave from the first day of illness?



Source: *WORLD Policy Analysis Center, Adult Labor Database, 2019*

Paid Family Leave Globally

Paid leave for mothers, fathers or both in the world:



FMLA

THE FAMILY & MEDICAL LEAVE ACT

- 1 40% of the workforce is not eligible
- 2 Its not necessarily paid



COVID19 crisis highlighted the need for paid leave in the US

> explainers > ...

Know your new paid sick leave benefits during the coronavirus pandemic

By Nicole Ogrysko | @nogryskoWFED
April 9, 2020 5:17 pm 4 min read



Congress has given federal employees a few more options to take paid sick leave or time off to care for their children at home due to the coronavirus.

The Families First Coronavirus Response Act, which Congress passed into law March 18, includes two important benefits for federal employees — emergency paid sick leave and an expansion of the Family and Medical Leave Act.

Let's start with the Family and Medical Leave Act expansion.

What this expansion means for you ultimately depends on where you work and when you started before the coronavirus pandemic began.

Virus exposes US inequality. Will it spur lasting remedies?

By PAUL WISEMAN

Updated: April 13, 2020 10:07 AM

Created: April 13, 2020 11:25 AM

WASHINGTON (AP)

Families who face

Front-line workers risking floors.

You could get 12 weeks of coronavirus-related paid leave under a new law — but only until December 31. Here's how to know if you're eligible for the benefits.

Taylor Nicole Rogers Apr 5, 2020, 12:14 PM



NEWS HEALTH SYSTEMS

As COVID-19 Highlights Need for Family Leave, Here's How Some Reproductive Rights Groups Stack Up

Apr 7, 2020, 9:59am Alys Brooks

The COVID-19 pandemic has renewed the urgency for paid leave benefits, as a significant number of reproductive rights organizations have common at reproductive rights organizations than in the U.S. workforce at large

Coronavirus sick leave: Who can't count on getting paid

PUBLISHED THU, APR 2 2020 12:16 PM EDT

Sarah O'Brien @SARAHTGOBRIEN

SHARE f t in e

KEY

- The recently passed Families First Coronavirus Response Act

For adults with type

Federal Emergency Paid Sick Leave & Leave for child's school closures (FFCRA)

Snapshot: Families First Coronavirus Response Act Emergency Paid Leaves

Reason for emergency leave	Emergency Paid Sick Leave / 80 hours	Emergency Childcare FMLA / 12 Weeks**	Wage employer pays employee***	Maximum per day
To care for self due to quarantine, illness or symptoms	✓	✗	Full wages	\$511
To care for loved one in case of coronavirus quarantine, illness, or symptoms	✓	✗	2/3 wages	\$200
To care for son/daughter due to lack of school or child care	✓	✓	2/3 wages	\$200

* The U.S. Department of Labor may grant exemptions to employers with less than 50 employees whose business is jeopardized by providing the leave.

** First two weeks may be unpaid.

*** Wages are defined as the employee's regular rate of pay, the federal minimum wage, or the state or local minimum wage where they are employed, whichever is greater. New Jersey's minimum wage is \$11.52/hour as of January 1, 2020.

COVID Federal Paid Leave Tax Credits

- **Covered Employers for Federal COVID Tax Credits**

www.abetterbalance.org/resources/american-rescue-plan-tax-credits/

- Extends the tax credits from March 31 to September 30
- Increases the total amount of wages an employer can claim the credit in a year from \$10,000 to \$12,000 per employee
- Expands the purposes allowed for longer-term paid family leave to match all of the purposes for shorter-term paid sick leave (personal health and family caregiving, in addition to caring for a child whose school or place of care has closed)
- Allows credits for an employee who is receiving a vaccination or recovering from its side effects
- Resets the clock on March 31, 2021 so that anyone who took leave in the past year can take leave again
- Allows access to the credits for state and local governments, as well as Federal governmental instrumentalities, that are tax-exempt 501(c)(1) organization
- **Small Business Tax Credits Fact Sheet**
- **Coronavirus Paid Leave Tax Credits for Self-Employed Workers**

- **600 hours of COVID paid leave for federal employees (till Sept 30)**

What Rights to Paid Leave do Workers Have in New Jersey?

- **Paid Leave Programs**
 - **Family Leave Insurance**
 - **Temporary Disability Insurance**

- **Earned Sick & Safe Days law**

- **Other Details**

Paid Leave for one's own health and to care for others

NJ Temporary Disability (TDI) & Family Leave Insurance (FLI)

- **Provides workers with 85% of average weekly wage up to \$903/week.**
- **Eligibility based on earnings: 20 weeks making \$220/ week or \$11,000 in base year period at ANY covered NJ employment.**
- **TDI is for any medical reason that prevents you from working (certified by Dr.) including pregnancy. Avail for max 26 wks in 12 month period.**
- **FLI is to bond with a new child AND to care for a seriously ill loved one (cert by Dr) -
- available for 12 continuous weeks or non-consecutive 8 week or 56 days.**
- **Both programs can be used for isolation and quarantine (based on medical recommendation). Also to deal with issues related to domestic violence or sexual assault.**

Job Protection

www.njtimetocare.com/njjobprotections

Wage Replacement

Job Protections

Temporary Disability Insurance (TDI)

Up to 26 weeks of partial wages to recover from one's own illness or disability, including a pregnancy related disability.



Family Leave Insurance (FLI)

12 weeks* of partial wages to bond with a new child (both parents) or care for loved one with a serious health condition. Often referred to as paid family leave.

Federal Medical Leave Act (FMLA)

12 weeks of unpaid, job protected leave for one's own serious health condition, to bond with a new child or care for an immediate family member with a serious health condition.



NJ Family Leave Act (NJFLA)

12 weeks of unpaid, job protected leave to bond with a new child or care for a loved one with a serious health condition.

The 2 job protection laws may run concurrent



Wage Replacement

Job Protections

Temporary Disability Insurance (TDI) and Family Leave Insurance (FLI)

*Most employees in NJ are covered.**

To be eligible you must be an employee and work in NJ, and for 2021, have worked 20 weeks earning at least \$220 weekly, or 11,000 in the base year period before taking leave (approx. 18 months).

The size of your employer is irrelevant!

**Exceptions are federal employees & out of state workers. TDI is optional for county & municipal employees (including many teachers)*

Federal Medical Leave Act (FMLA)

To be eligible you must have

- worked for your employer for at least 12 months,
- worked at least 1,250 hrs in those 12 months and;
- the employer has at least 50 employees within 75 miles.



NJ Family Leave Act (NJFLA)

To be eligible you must have:

- worked for your employer for at least 12 months,
- worked at least 1,000 hrs in those 12 months and;
- the employer has at least 30 employees or is a government entity regardless of size.

Inclusive family definition

Caring for any loved means anyone with whom you have a “***close association to the employee which is the equivalent of a family relationship***”.



#OURFAMILIESCOUNT



Who would you call if you needed someone by your side?

#ExtendedFamilyisFamily

20%

of LGBTQ working people have access to paid leave – forcing many to use sick days, vacation days or unpaid leave to care for a loved one.

Source: Center for American Progress.

MyLeaveBenefits.nj.gov

Department of Labor and Workforce Development



Division of Temporary Disability and Family Leave Insurance

myLeaveBenefits.nj.gov

Home

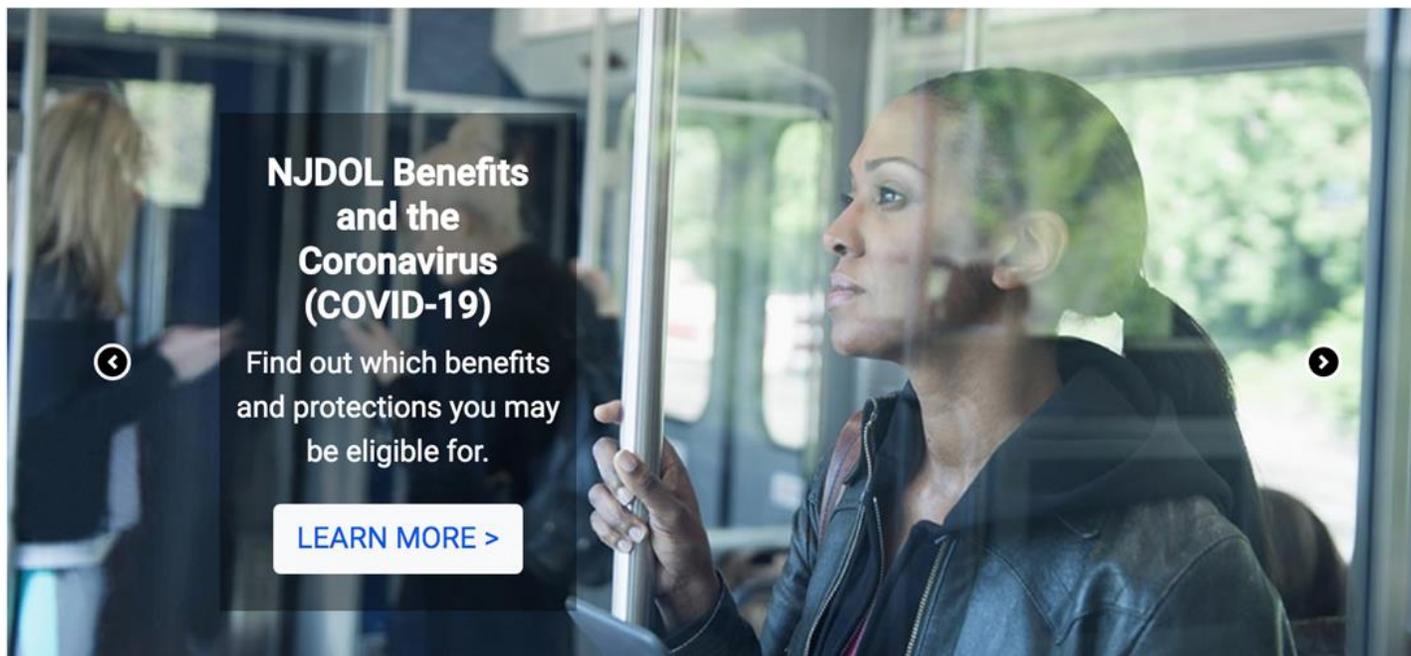
Information for
Workers ▾

Information for
Employers ▾

Information for Healthcare
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About Our
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NJDOL Benefits and the Coronavirus (COVID-19)

Find out which benefits and protections you may be eligible for.

[LEARN MORE >](#)

Attention Customers:

During these difficult times we **strongly** recommend filing online to ensure your application is reviewed in a timely manner.

Welcome! How Can We Help?

NJ Earned Sick & Safe Days

- Nearly all NJ employers must provide 5 job-protected, paid sick days (40 hours) a year to all workers regardless of immigration status. Currently employers can require you earn them: *30 hr worked = 1 hr ESD*
- Permitted uses include for **one's own health**, **caring for loved ones**, to address issues related to **domestic or sexual violence** for work and school closures bc of **public health emergency** and now for **isolation** or **quarantine** when recommended by a provider or public health official as a result of suspected exposure to a communicable disease, or to care for a **loved one** under recommended or ordered **isolation** or **quarantine**.

NJ Earned Sick & Safe Days

mysickdays.nj.gov

Department of Labor & Workforce Development

Home

File or Access Your Claim

Worker Protections

Career Services

Employer Services

Research & Information

About Us

Save

EARNED SICK LEAVE
Don't worry –
you're covered!

Earned Sick Leave is now the law
in New Jersey.

**Just like when taking
paid family leave for
caregiving, you can
take Earned Sick
Leave to care for any
family as well as ANY
loved ones who are
like family!**

Overview of NJ's Benefits

www.myunemployment.nj.gov/labor/myunemployment/assets/pdfs/COVID-19%20Scenarios%20Benefits%20Chart.2021.pdf

COVID-19 SCENARIOS & BENEFITS AVAILABLE						
Worker needs time to care for others	OPTIONAL FOR EMPLOYERS		NJ LAW: Earned Sick Leave* mysickdays.nj.gov	Unemployment Insurance myunemployment.nj.gov	After or instead of	NJ LAW: Family Leave Insurance myleavebenefits.nj.gov
	Federal Childcare Leave* dol.gov	Federal Paid Sick Leave* dol.gov				
1. Employee unable to work because must care for child(ren) at home due to coronavirus closure	✓	✓	✓	✓	➡➡➡	✗
2. Worker is caring for family member who is diagnosed, or in isolation or quarantine with suspicion of exposure		✓	✓	✓	➡➡➡	✓
Worker is sick or loses work		Federal Paid Sick Leave* dol.gov	NJ LAW: Earned Sick Leave* mysickdays.nj.gov	Unemployment Insurance myunemployment.nj.gov	After or instead of	NJ LAW: Temporary Disability Insurance myleavebenefits.nj.gov
3. Worker who has COVID-19, or symptoms of COVID-19		✓	✓	✓	➡➡➡	✓
4. Person who is out of work because employer voluntarily closed		✗	✗	✓		✗
5. Person who is out of work because employer was ordered closed		✗	✓	✓		✗
6. Worker has less hours available due to business slow down or lack of demand		✗	✗	✓		✗
7. Employer stays open in defiance of State closure or public		✗	✓	?		✗

Other Details

- **Job Protection**
 - **FMLA**
 - **NJ Family Leave Act**
 - **COVID leave protection (ones own health)**

- **Anti-Retaliation Protections**

COVID-19 Anti-Discrimination/ Job Protections

www.nj.gov/labor/assets/PDFs/CovidDiscrimination_FINAL.pdf

COVID-19 DOESN'T DISCRIMINATE AND NEITHER SHOULD YOUR EMPLOYER:

NJ Workers are protected against COVID-19 related
discrimination at work.



myworkrights.nj.gov

The Future of Paid Leave

➤ Federal

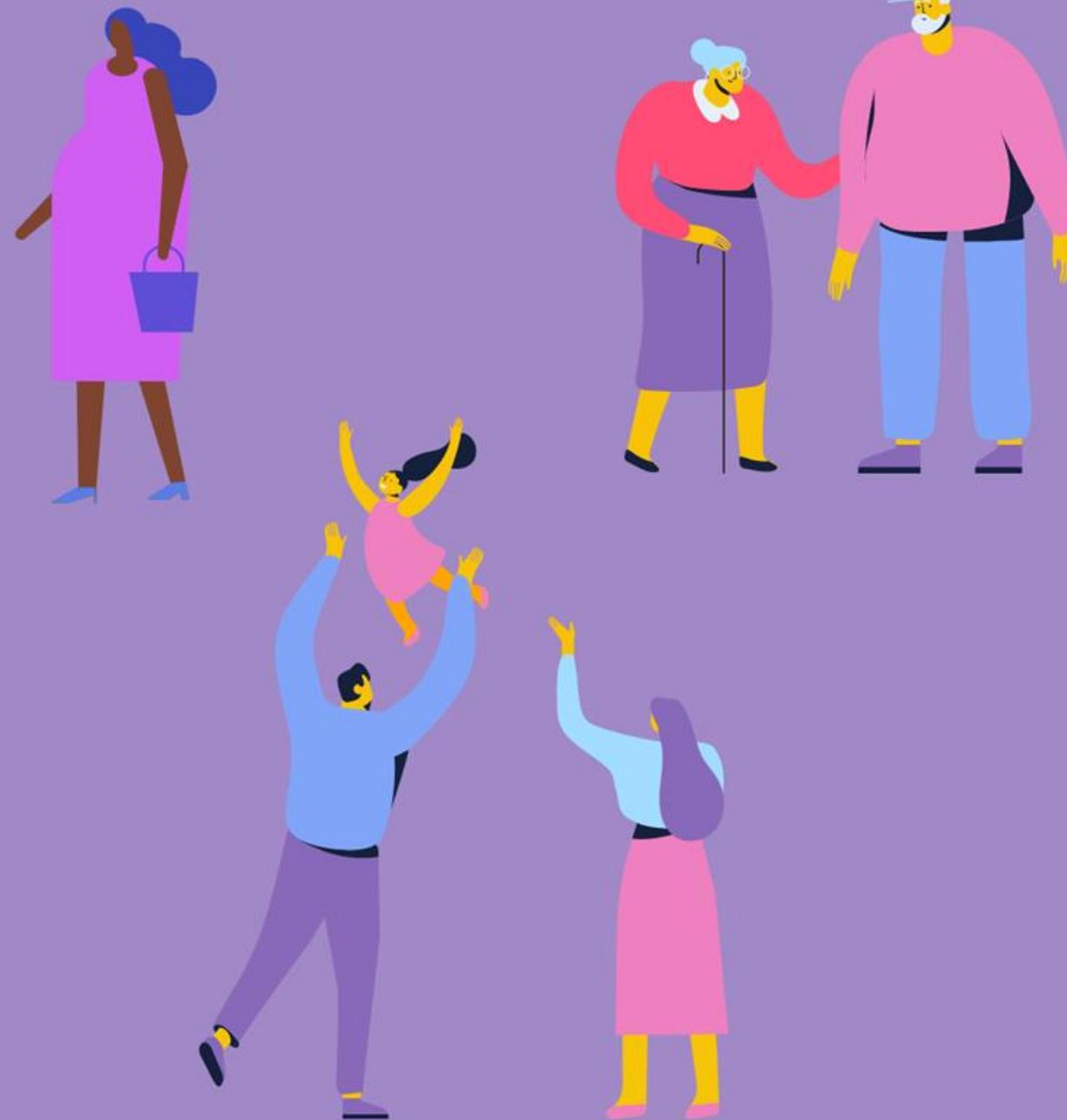
- Build it Back Better
- The FAMILY Act
- The Healthy Families Act

➤ State Advocacy

- Emergency Paid Sick Days
- Mandated COVID Paid Leave
- Job Protection

The US Needs Permanent Paid Leave & Paid Sick Days

- Fight COVID-19
- Revitalizing the economy
- Racial justice



The FAMILY

Act

(paid family leave)



PAID LEAVE NEEDS A TRIPLE "A" RATING

Paid family and medical leave needs to be:



Accessible: cover all workers, for all kinds of leave (caring for a new child, a serious personal or family illness), in all kinds of families.

Affordable for families and for businesses, with the highest percentage of wage replacement going to those who earn the least, and with job protection for all.

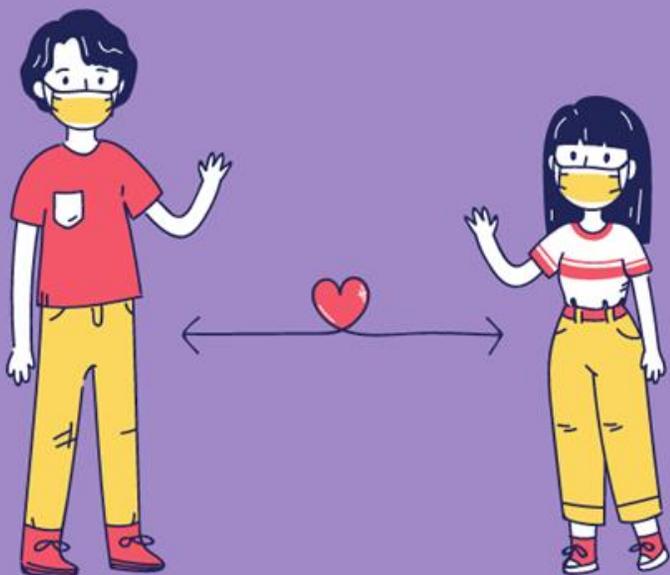
Adequate, time long enough for bonding or healing.

LEARN MORE @ [FAMILYVALUESATWORK.ORG](https://familyvaluesatwork.org)

**FAMILY
VALUES
@
WORK**



The Healthy Families Act *(paid sick days)*



**HEALTH IS NOT
OPTIONAL.**

**#PAIDLEAVE
#PAIDSICKDAYS**



State Advocacy Efforts

SIGN ON LETTER to CLOSE COVID PAID LEAVE GAPS

- **Close the gaps in COVID paid leave and mandate employers provide the covid paid leave (and those under 500 would receive federal tax credits).**
- **Emergency Paid Sick Days bill: Grant 15 emergency sick days to ALL workers and remove other barriers to being able to quickly access leave, as well as improve our Earned Sick Days law by increasing the base number of days to 7 days and make it more accessible.**
- **Ensure job protection for workers who are eligible for NJ paid family leave programs; Temporary Disability and Family Leave Insurance.**

SHARE YOUR STORY

www.njtimetocare.com/share-story



**Has the Coronavirus left you without work or pay?
Or are you working but in unsafe conditions?
SHARE YOUR STORY!**

Additional Resources

- NJ Department of Labor: <https://www.nj.gov/labor/worker-protections/earnedsick/covid.shtml>
- [Paid Leave for All Public Health Officials Sign-on Letter](#)
- PolicyLink: [Economic Recovery Must Put Women of Color First](#)
- A Better Balance: [COVID-19 Resource Hub](#)
- Center for American Progress: [On the Frontlines at Work and at Home: Disproportionate Economic Effects of COVID-19 on Women of Color](#)
- Center for Economic and Policy Research: [Contagion Nation 2020: United States Still the Only Wealthy Nation without Paid Sick Leave](#)
- Center for Law and Social Policy (CLASP): [Amended and New State and Local Laws and Guidance on Paid Sick Days in Response to COVID-19](#)
- Family Values @ Work: [Know Your Rights](#)
- Futures Without Violence, Workplaces Respond to Domestic & Sexual Violence: [Coronavirus: Survivors & the Workplace](#)
- LeanIn.Org/SurveyMonkey: [Paid Leave Poll Findings](#)
- Main Street Alliance: [Small Business & COVID-19 website](#)
- National Employment Law Project: [COVID-19 Resources For Unemployed And Frontline Workers](#)
- National Network to End Domestic Violence: [Resources on the Response to the Coronavirus \(COVID-19\)](#)
- National Partnership for Women & Families: [State-by-state data on gaps in emergency leave and gender and race in frontline industries](#)
- PL+US: [Coronavirus and Paid Leave FAQs webpage](#)
- The Shift Project: [Essential and Vulnerable: Service-Sector Workers and Paid Sick Leave](#)
- Small Business for Paid Leave: [COVID-19 Emergency Paid Leave Resources](#)
- Washington Center for Equitable Growth: [Paid medical & caregiving leave during the coronavirus pandemic: What they are & why they matter](#)
- WorkLife Law: [Guides for Requesting Leave or Accommodations Needed Because of the Coronavirus Pandemic](#)