



Messaging Paid Family and Medical Leave to Businesses

*A Washington Case Study—
Values-Based Messaging Works with Employers*



CLASP & Family Values @ Work

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Introduction

This brief describes innovations in business engagement for Paid Family and Medical Leave programs. The brief was created as an extension of a webinar co-hosted by the Center for Law and Social Policy (CLASP) and Family Values @ Work and is based on information shared by Washington State's Employment Security Department (ESD) and Brink Communications.

The brief offers a case study on what Washington learned from developing and implementing a Paid Family and Medical Leave program, outlining promising outreach and engagement practices with employers. It also underscores how Paid Family and Medical Leave programs benefit both employers and their employees. Lastly, it provides a roadmap for state administrators, legislators, and advocates to use as they navigate the execution of Paid Family and Medical Leave outreach and education.

This effort is part of Washington's multi-phase educational campaign. This brief highlights the first phase, communicating with employers. Future phases will include communicating with employees, including tailored messaging and materials for health care workers.

Getting to know **Washington's** **Paid Family and Medical Leave** Program

January 2020 marks the start of Washington's Paid Family and Medical Leave benefits. The program will allow workers to take up to 12 weeks of time off to take care for themselves or a loved one and has flexibility to be extended to 16 or 18 weeks if there are multiple events within a calendar year or complications with a pregnancy.

The program is funded by a payroll tax. Employees contribute 63 percent to the fund; employers contribute 37 percent.

Washington is the fifth state program in the United States, and the first that is not built on an existing disability program.

Why targeted, planned engagement matters

Employers are usually the first to interact with a state's Paid Family and Medical Leave program. Employees will often first go to employers for information regarding benefits, so it's essential that employers be given the tools that allow them to be positive messengers for the program.

For a Paid Family and Medical Leave program to succeed, employers must comply with payroll deduction standards, notify employees of the benefit, and create systems that allow and encourage employees to use the benefit when needed.

If employers are confused, employees will likely be confused as well.¹ Business engagement strategies strongly influence employer buy-in and effective uptake. Without employers' cooperation and awareness, enrollment numbers could remain low and many workers could miss out on this crucial benefit.

Lack of policy awareness is one of the most significant barriers to Paid Family and Medical Leave uptake.² When Paid Family and Medical Leave laws pass, businesses – particularly small businesses – may not be up to speed or realize the law applies to them. For example, when New Jersey passed its Paid Family and Medical Leave law, a survey of small businesses found that 40 percent did not know if they were required to comply (or if small business owners were covered).³ In Rhode Island, a survey of the state's Temporary Caregiver Insurance (TCI) program found only half of all workers were aware of the program. Among them, only 20 percent had learned of the program from their employers.⁴

In June 2017, Washington became the fifth state to pass a Paid Family and Medical Leave law. However, it was the first to do so without building on an existing temporary disability insurance program. Anticipating a steep learning curve for stakeholders across the state, the statute required community outreach. Washington's program team made a strategic decision to include businesses and community members in outreach from the outset. While it will take several years to assess the full impact of Washington's business engagement and outreach strategy, the state has forged many promising techniques in the development and implementation of this engagement and outreach.

Strategic employer engagement

The first step in reaching businesses is to have a clearly defined strategy with messengers and messaging that will be effective with business owners. Washington adopted the following strategic recommendations:

- Build a phased campaign that starts with employers;
- View employers as critical messengers in shifting culture;
- Create compelling, values-based campaigns in all phases;
- Cut through the clutter with simple messages;
- Reflect Washingtonians: stories of real, diverse Washington businesses across the state, with the employer-employee connection highlighted;
- Focus broadly on why leave matters to everyone; and
- Reassure businesses that the program will work to make it easy for employers to succeed.

Using this strategic roadmap, the program sought to:

1. Build a high level of awareness among employers of every size about the program and the role each employer has with the program.
2. Give employers the information and tools they need to communicate to their employees about the program and the new payroll deductions.
3. Educate employers about the requirement to make quarterly reports with the state.

Employers continued to be engaged with Washington’s Paid Family and Medical Leave program through a statutorily-mandated **advisory committee** with equal representation of employers and workers. The committee meets monthly and all meeting notes are shared publicly on the Paid Family and Medical Leave website.

How to conduct innovative outreach and engagement

Having dedicated communications staff within the administering agency provides significant advantages to building a robust outreach and engagement strategy. Washington had a six-person communications team. The strategies and tools used were geared toward maximizing outreach based on the team’s capacity and available resources.

The size of Washington’s communications team was hugely beneficial, but not every agency can invest in similar staff numbers. The strategies outlined below should be read with consideration to the size of the team overseeing outreach. Furthermore, agencies should select tools and tactics based on the state’s demographics and business community, and what will be most impactful for their unique set of constituents.

The right message and the right time

Washington thoughtfully identified strategies, prioritizing employer outreach. The state worked with a communications consulting firm, Brink Communications, to help refine their communications strategy.

When devising an engagement strategy, building in time to work with consultants can reap huge benefits.

Consulting firms bring additional capacity and expertise, offer an outside perspective, and provide a powerful sounding board.

How to craft the right message

Research is a critical step in crafting and refining messaging that will resonate with your key audiences. Brink partnered with a research firm, FM3 Research, to conduct an employer survey to understand the awareness, perceptions, and values around Paid Family and Medical Leave among businesses in the state.

Leveraging Brink Communications to achieve equity goals

Brink Communications is a full-house communications and strategy firm with a mission centered on three disciplines: urban innovation, healthy communities, and social justice. The firm is also women-owned, and a B-Corp. A core tenant of Washington’s Paid Family and Medical Leave program was ensuring it benefited all workers across the state, with an explicit focus on workers in low-wage jobs. A worker’s race, class, gender, geography, language, and/or culture can create inherit barriers to accessing social insurance programs like Paid Family and Medical Leave. It was important to work with a firm that understood these barriers. Brink has a history of working on projects that represent a diverse set of communities, with specific expertise in racial and LGBTQ+ equity.



On a parallel path, Brink conducted a landscape analysis reviewing Paid Family and Medical Leave campaigns in other states, as well as other state-run programs where employer engagement was a central component.

California has the longest-standing Paid Family and Medical Leave program in the country, making it an invaluable learning resource. California's communications campaign emphasized bonding and caring for a new child. It also carried a strong compliance message. The main goal of California's campaign however differed from Washington's in that it was geared toward increasing utilization within an existing program and therefore, the messaging was primarily directed at employees.

Lessons learned from New York were similar in capturing both the emotional and legal aspect of the program. New York's program demonstrated the effectiveness of heartwarming imagery. For example, the state lead with images of people bonding during times of need.

California and New York both emphasized that their programs weren't solely designed to help parents bond with new children. Rather, they were designed to enable all workers—regardless of demographics—to take leave in moments of need. This messaging was a communications priority for Washington as well and should be prioritized by all looking to implement a program. All workers may need Paid Family and Medical Leave at some point during their lives.

Following the landscape analysis, employers were initially polled on the description of the program and whether they found this description favorable. Seventy-five percent of employers surveyed were in favor of the program upon hearing the description, 15 percent were against. Employers were then provided additional details about the program including program premiums and hours. Support for the program dropped. Only 62 percent of employers were in favor of the program after hearing additional details, with 21 percent against.

Despite the drop, poll results were proof that employers were supportive of the program overall. In addition, employer support went back up to 72 percent after employers heard values messaging. The temporary decrease in favorability however illustrated the urgent need to communicate the value of the program to all Washingtonians.

As part of their surveying, Brink developed a series of messages to test with employers. Their findings follow.

Appeal to employers: lead with values

In developing messaging for employers, lead with the assumption that they care about their employees. Use this assumption to create messaging highlighting why Paid Family and Medical Leave is a critical support for employees that also helps employers.

The statements developed and tested by Brink included the following themes:

- The universal need for leave;
- Connection and supporting employees when they need it most;
- Paid leave as financial assistance to small businesses;
- Increased workforce participation;
- Decreased administrative burden;
- The return on investment;
- Affordability of the state program; and
- Minimizing work and reporting.

Of these messages, employers were most responsive to “need” and “connection.” Below is the tested language that proved most successful:

Need: *Nearly all business owners and workers will have caregiving responsibility at one time or another, even if they don't have children or their children are grown up. An aging population means parents may need help as they get older. And if a spouse or family member is in an accident or gets a serious illness like cancer, they'll need support. This program will help workers with all of these needs.*

Connection: *Supporting employees when they need it most connects us to each other as human beings and creates a bond of loyalty and a sense of belonging within a company.*

Be inclusive of all employees

Washington's Paid Family and Medical Leave program allows workers to take leave for four main reasons: 1) an employee's own medical condition; 2) to care for a family member; 3) to bond with a child (birth, foster, or adoption); and 4) military family leave.⁵

Most state Paid Family and Medical Leave programs will similarly allow employees to take leave for a range of personal reasons. Effective messaging will enable all workers to see themselves in the program. Washington adopted the tagline: *Be there for care, because some time in our lives, we all need to give or receive care.*

Feature real employers and employees

Stories are powerful in building an emotional connection with your audiences. Washington made the strategic decision to feature real employers and employees who believed in Paid Family and Medical Leave.

The value-add of diversifying communications strategies

This section highlights the strategies and tools used to communicate the program.

Choosing the right messengers

Through research and in working with stakeholders and community, Washington identified key constituencies and intentionally featured these constituencies in public outreach and engagement materials. The featured messengers were compelling, relatable, and included small business owners, rural communities, industries with hourly workers, and Latinx employers and employees.

Identify key audiences and those that are often left out of the narrative → feature these individuals in your engagement and outreach materials.

Tailored strategies make the difference

Reaching key audiences through multiple touch points is essential. Executing on a diverse set of communications strategies and tools allows agencies to reach a wide set of customers – a wide set that encompasses unique, specific audiences. Understanding your audiences and the communities within your state will increase effectiveness in connecting with employers and employees. For example, Brink aimed certain messaging at businesses owned by people of color and non-English speakers.

These were disproportionately small businesses, and they responded favorably to inclusive, intentional messaging showing what they stood to gain from a Paid Family and Medical Leave program. The success of this outreach is an important takeaway. In the past, business owners of color and non-English speakers were excluded from similar campaigns.

Once messages have been established, agencies need systems to disseminate them across platforms. Below are examples of strategies and tools that can be deployed. Every administrative agency will not be able to implement all tools listed here. Research is crucial to help agencies decide which tactics and resources will be effective and efficient.

Outreach tools	
Websites	A program specific website is essential in building and unveiling a new Paid Family and Medical Leave program. Businesses, workers, and anyone with questions will first seek information online. Washington built a comprehensive website with program details, information for key audiences (employers, workers, and healthcare providers), Frequently Asked Questions (FAQ), and a regularly updated timeline. Given Washington’s large Spanish-speaking population, the website has also been made available in Spanish at tometiemp.org . For more examples of state websites, see New Jersey , New York , Rhode Island , Washington DC , and Massachusetts , and California .
Employer toolkits	It’s important to create a toolkit that summarizes all components of a Paid Family and Medical Leave program for employers. Washington assembled its toolkit before the program was officially launched so part of the document was also dedicated to explaining the program’s development and outlining a timeline. The document included an FAQ and shareable content for employees including a paystub insert in multiple languages, sample emails, and sample newsletter content. Washington’s employer toolkit was downloaded more than 65,000 times during the first six months.
Webinars	Webinars allow program administrators to communicate directly with employers and answer their questions in real time.
Emails	Thousands of Washingtonians, employers and employees, have signed up for emails and have requested updates from the state. Emails are a key communication tool to reach these audiences and connect them with online resources.
Business Ads	Advertising in state business publications is another effective tactic. Advertisements can highlight “need to know” information like the program start date, use the values-driven messaging that resonates most with employers in your state, and include calls to action. In Washington, the call to action specified visiting the Paid Family and Medical Leave website.
Ethnic print	Consider running ads in publications for specific demographics. But – be sure to do so <i>well</i> . If your ads need to be translated, invest in a third-party translator to ensure the language is culturally competent and sensitive. Do not rely on Google Translate.

Digital Ads (Videos, Social Media)	Video ads can powerfully capture stories by featuring real employers and employees. They can be shared across platforms, giving you flexibility to reach a range of demographics through social media.
Radio	Radio ads allow you to reach different pockets of community, particularly those with limited internet access in rural communities. Radio was also critical to reaching employers who were primarily Spanish speakers.
Paystub Inserts	Employers were asked to inform their employees about payroll deductions. To make it easy, the state created paystub inserts explaining the payroll deduction and the program in 14 languages – all available to download on the website.
Earned Media	“Earned Media” is when you receive news coverage for stories you pitch to reporters. Pitching stories to reporters is a great way to build awareness for your program. Washington secured news coverage in media outlets across the state, raising awareness and driving traffic to the website.

Leveraging partners

In communicating a new Paid Family and Medical Leave program to employers and businesses, enlist key partners and stakeholders who can effectively push and reinforce your message. Administering agencies should be creative in choosing partners. Partners and stakeholders will vary state to state, but these are examples of partnerships that can be adopted across states:

- **Payroll companies and payroll software companies.** Paid Family and Medical Leave funding is collected through a payroll deduction, making it crucial that payroll companies have the necessary information to administer and facilitate the collections process. Payroll companies are a valuable partner for two main reasons:
 - Payroll companies have broad reach and tend to be a trusted source of information for employers. Payroll administrators and software companies can represent a significant share of the employer population when it comes to reporting and remitting payments to the state. When properly informed, payroll companies can serve as resource hubs for employers with questions about premium/tax collection.
 - In partnering with payroll companies, administering agencies facilitate overall compliance. The law requires for premiums to be collected through payroll systems. The more involved payroll companies are in understanding the law, the greater the odds the law will be properly executed. Payroll companies often require changes to their technology to accommodate the new program. The earlier they are made aware of the details of a program, the better. This also allows them to plan for changes to technology that may require a long lead time.

- **Business associations.** Business associations supporting a Paid Family and Medical Leave program increase communications capacity by providing an additional platform and go-to for employers and workers who have questions. These groups can help disseminate information, identify pain points, and help with all questions and concerns regarding navigating a new Paid Family and Medical Leave program.
- **Community advocates.** Advocates can play a variety of roles in the launch of a Paid Family and Medical Leave program. They are another important voice to increase engagement and outreach capacity. Additionally, because they work intimately with workers, they can assist in gauging how workers are interacting with the benefit. Community advocates (and business associations) can conduct surveys and interviews of employers and workers to increase understanding of how well the program is working. Many organizations have a vested interest in getting these messages out – leverage their partnership!
- **Other state agencies.** Other state agencies and government entities have broad reach into overlapping audience populations. For example, Washington sent a toolkit of shareable resources to other key state agencies ahead of the January 1, 2019 premium collection milestone. This toolkit included sample emails for agency staff, sample newsletter content, and sample social media posts, web content, and images that linked back to the Washington Paid Family and Medical Leave program website.

Engaging the “opt-in” pool

In many states, certain categories of workers (including state workers, workers of federally recognized tribes, and self-employed workers) are not automatically covered by Paid Family and Medical Leave programs. However, it is possible for programs to build in mechanisms that allow workers to opt-in if they are interested in receiving the benefit on their own accord. In Washington, federally recognized tribes and those who are self-employed are exempt from participation but can opt-in.

Washington requires exempt self-employed workers who opt-in to pay only the employee premium of 63 percent and report wages quarterly. In doing so, these workers receive the same benefits as anyone else who qualifies for the program. Tribes may also opt-in as well and are then treated like employers.

Engaging exempt workers can be difficult. Washington had an advantage; its Department of Revenue was able to provide access to hundreds of thousands of email and mailing addresses, including addresses of self-employed workers. They utilized five email campaigns and sent messages to email addresses and mailed information about the program to about 650,000 mailing addresses. These campaigns included information about opting-in to the program.

Recommended funding and how to manage costs

There is a correlation between participation rates and outreach and educational campaigns. A robust outreach and business engagement strategy will provide a significant return on investment, with a series of positive impacts that increase program uptake, including more employer know-how and direct communication with employees.

Developing and implementing an outreach strategy helps ensure program solvency and longevity. As mentioned earlier, Washington's statute allocated funding for outreach. The administering agency has spent approximately \$1.5 million on outreach since the bill passed.

In comparing Paid Family and Medical Leave uptake across states, researchers found that first-year enrollment was higher in California than in New Jersey or Rhode Island.⁶ California's success is attributable to its first-year funding of education and outreach. Recognizing its work wasn't done, California redirected resources for outreach and education several years later.⁷ Other states have followed suit. For example, New Jersey allocated \$1.2 million for outreach and education when it revamped its program, including \$600,000 for contracts with community-based organizations.^{8 9} Lessons from other states drove Washington to include funding-specific language in its statute.

A valuable outreach lesson from the paid sick days movement is the use of community contracts. A few implementing and enforcement agencies in these jurisdictions have allocated funds for contracts with community-based organizations to provide outreach and education on these new labor standards. These community groups are trusted messengers and better able to access many immigrant communities and communities of color, including small businesses.

The importance of follow-up and evaluation

Administering a Paid Family and Medical Leave program is an evolving process. As programs are developed and implemented, agencies will uncover how employers and workers engage with the program, what is or isn't driving uptake, barriers to access, and which demographics are using the benefit and which are not. It's essential to develop processes and systems for tracking and measuring data. This will allow the administering agency to tweak and strengthen the program over time. Prioritizing program evaluation is critical to the enduring success of a Paid Family and Medical Leave program.

There are many ways to pursue and fund this research. For example, Rhode Island secured funding from the U.S. Department of Labor to assess the launch of its paid leave program.¹⁰ Research and surveys addressed program awareness, the application process, usage and impact, and barriers.

The findings enabled the administering agency to better tailor their engagement and outreach strategies.

California also provides a prime example of a program that has changed over time in response to research and evaluation. Since its implementation in 2004, California has increased its wage replacement rate, and provided additional funding to improve program awareness, public education, and outreach efforts.¹¹

Conclusion

Prioritizing business outreach and engagement in the development and implementation of a state Paid Family and Medical Leave program has huge benefits for employers and workers. Innovative communications strategies and targeted resources increase program awareness and uptake for employers. When employers are well-versed in a Paid Family and Medical Leave program and understand the value-add for their business and employees, they are more likely to communicate the program and encourage its use.

Administering agencies should remember that good messaging is critical to program success. A values-based approach will go a long way in connecting with businesses rather than a compliance-only framework. This approach will prove even more effective when tailored to specific demographics. Invest in research upfront to understand your audience, and, continue to invest in research and evaluation to ensure sustained learning as outreach and engagement strategies are deployed.

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Endnotes

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