

TESTIMONY ON SB 485 FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM - MODIFICATIONS

Senate Finance Committee

SUPPORT

February 16, 2024

Submitted By:

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The Center for Law and Social Policy (CLASP) supports SB 485, which modifies the Family and Medical Leave Insurance (FAMLI) program by specifying various aspects of programmatic implementation, including the administration and enforcement of the Time to Care Law.

CLASP is a national, nonpartisan, nonprofit advancing anti-poverty policy solutions that disrupt structural, systemic racism and remove barriers blocking people from economic justice and opportunity. With deep expertise in a wide range of programs and policy ideas, longstanding relationships with anti-poverty, child and family, higher education, workforce development, and economic justice stakeholders, and over 50 years of history, CLASP works to amplify the voices of directly impacted workers and families and help public officials design and implement effective programs. CLASP also seeks to improve job quality for workers in low-wage sectors. That includes increasing wages and providing access to paid sick days, paid family and medical leave, and stable work schedules. Quality jobs enable individuals to balance their work, school, and family responsibilities – promoting economic stability as well as career advancement.

Passing the Time to Care Act of 2022 last legislative session was a historic victory for all Marylanders - and it was just the first step in realizing Paid Family and Medical Leave in Maryland. The critical work to implement and administer an accessible, equitable, and robust FAMLI program is the next major step in fulfilling the promise of the Time to Care Act of 2022. We are excited by the work of the new FAMLI division at the Department of Labor, and we believe passing SB 485 establishes important administrative parameters for the Department that will set the program firmly on the path toward successful implementation.

CLASP advocates for comprehensive paid family and medical leave programs that:

- Cover all working people and apply equally to all working people.
- Cover multiple purposes for taking paid family and medical leave, including allowing workers to take leave for their own serious health conditions, care for seriously ill loved ones, bond with a new child (including adoptive or foster children), address needs related to military deployment, and take safe leave to address sexual and domestic violence.
- Reflect an inclusive definition of family to ensure that workers can care for all those they consider family, irrespective of legal or biological relationships. By embracing diverse family structures prevalent in America today, including the rise in single-parent or cohabitating parent households, programs can become more aligned with the realities of contemporary family dynamics.¹ Additionally, a more inclusive definition enhances a program's utility for communities like the LGBTQ+ and the disability community, where reliance on "chosen family" is more common as part of their support system.²
- Provide up to 12 weeks of leave and replace a substantial share of workers' usual wages with a progressive wage replacement scale that provides the highest percentage of wage replacement for the lowest paid workers. The American Academy of Pediatricians has long supported at least twelve weeks of maternal leave and international comparison shows that more weeks of paid leave results in tangibly reduced infant mortality rates.³
- Protect workers against adverse consequences for taking leave, including job protection that allows workers to request and take leave without fear of retaliation, intimidation, or interference. Without job protection, as many as 1 in 7 workers earning low wages have lost a job because of illness or caregiving responsibilities.⁴ This protection is crucial for vulnerable workers, enabling them to take necessary time off without facing negative repercussions in the workplace.

Notably, SB 485 requests a delay of the implementation timeline, moving contributions to July 1, 2025 and benefits to July 1, 2026. CLASP and our coalition partners, Time to Care, are eager for Marylanders to have access to paid leave that the FMLI program will provide as soon as possible and we also want the program to be robustly accessible and functional. We understand the Department of Labor

¹ Stephanie Kramer, *U.S. has world's highest rate of children living in single-parent households*, Pew Research Center, December 12, 2019, <https://www.pewresearch.org/short-reads/2019/12/12/u-s-children-more-likely-than-children-in-other-countries-to-live-with-just-one-parent/>; Carolina Aragão et al., "The Modern American Family," Pew Research Center, September 14, 2023,

https://www.google.com/search?q=rise+in+cohabitating+parents&rlz=1C1JZAP_enUS1082US1082&oq=rise+in+cohabitating+parents&gs_lcrp=EgZjaHJvbWUyBggAEEUYOTIJCAEQIRgKGKABMgcIAhAhGKsCMgcIAxAhGKsCMgcIBBAhGKsC0gEINDQyOWowajSoAgCwAgA&sourceid=chrome&ie=UTF-8.

² Caroline Media and Molly Weston Williamson, *Paid Leave Policies Must Include Chosen Family*, Center for American Progress, March 1, 2023, <https://www.americanprogress.org/article/paid-leave-policies-must-include-chosen-family/>.

³ "A Pediatrician's View of Paid Parental Leave," *NPR All Things Considered*, October 10, 2016, https://www.npr.org/sections/health-shots/2016/10/10/497052014/a-pediatricians-view-of-paid-parental-leave?utm_source=facebook.com&utm_medium=social&utm_campaign=npr&utm_term=nprnews&utm_content=2036; Jody Heymann MD, et al., "Creating and Using New Data Sources to Analyze the Relationship Between Social Policy and Maternal Health: The Case for Maternal Leave," *Public Health Reports* 126 (2011).

⁴ "Hard Work, Hard Lives: Survey Exposes Harsh Reality Faced by Low-Wage Workers in the U.S.," Oxfam America, 2013, <https://s3.amazonaws.com/oxfam-us/www/static/media/files/low-wage-worker-report-oxfam-america.pdf>.

needs the additional time to build the systems necessary to accept contributions, claims, and pay out benefits, and thus CLASP supports the delay proposed in SB 485.

The United States is the only Organisation for Economic Cooperation and Development (OECD) country that does not guarantee paid leave to its workers and is one of only six countries in the world that do not guarantee paid parental leave.⁵ Maryland should be proud of establishing the FAML I program in 2022, as one of just 13 states and the District of Columbia that provides paid family and medical leave. SB 485 is a critical next step to specify various aspects of implementation, laying the groundwork for an equitable and accessible implementation process to ensure all Marylanders can benefit from the program.

CLASP appreciates your consideration and supports SB 485.

⁵ Claire Cain Miller, “The World Has Found A Way to Do This: The US Lags on Paid Leave, *The New York Times*, October 25, 2021, <https://www.nytimes.com/2021/10/25/upshot/paid-leave-democrats.html>.