The Importance & Possibility of 

Paid Family Leave In Nebraska

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Paid Family Leave & Income Inequality

– 94% of low-wage workers in the U.S. have no access to paid family leave

– One in four new mothers in the U.S. are back at work just 10 days after childbirth

– People who make more than $75,000 are twice as likely to get paid leave than people who make less than $30,000

– Nearly half of new parents who make less than $30K annually who did not have fully paid parental leave sought public assistance

‘The Haves & Have Nots of Paid Family Leave’
May 2017
Paid Leave Policy
Prescriptions

• **Covers all workers** regardless of business size or rank or position

• **Covers family and medical leave** for new child, serious personal or family illness, in all types of families

• **Affordable** for families and for businesses and includes job and benefits protection

• **Adequate time** for bonding or healing
Nebraska State Law

• Consistent with federal FMLA but does grant additional rights
• Under Neb. Rev. Stat. 48-234 employers who provide parental leave for biological parents must also provide same for adoptive parents
• Military exceptions for up to 30 weeks of unpaid leave for parents and spouses of person called to service
Current Legislation in Nebraska - LB 305

Introduced by Senator Sue Crawford in 2017 to create the Paid Family Medical Leave Insurance Act

• **Who is covered?**
  – Nebraska employees covered by unemployment insurance – 90-95% of the total workforce in Nebraska

• **How is the program funded?**
  – Contributions from payroll deductions of covered employees not to exceed one-half of one percent of an employee’s gross wages in any twelve month period

• **What reasons allow for paid leave?**
  – Care for self, care for a new child, care for a family member, military exigency leave

• **What are the benefits?**
  – Benefits are capped and range from 50% to 95% of weekly wages based on earnings
Current Legislation in Nebraska - LB 305

- **Nondiscrimination**
  - Covered individuals are entitled to have their jobs or equivalent positions back upon return, including fringe benefits and service credits

- **How long can a worker receive benefits?**
  - 6-12 weeks depending on type of leave

- **Is there an unpaid waiting period?**
  - Yes, a 7 day unpaid waiting period with two military exceptions

- **Notice**
  - Each covered employer shall provide written notice upon hiring and annually thereafter

- **Legislative Intent and Reporting**
  - Utilize existing data and technology, including unemployment insurance, and submit an annual report with data that includes usage, contributions and costs.
Barriers and Further Research

• Lack of Temporary Disability Insurance System
• Funding
  – Build and Administration Costs
  – Benefit Payment Costs
• Business Opposition
• Unanswered equity-related research questions include:
  – How do FMLA impacts on leave-taking, employment, and child health outcomes vary by race/ethnicity?
  – What is the impact of the FMLA on maternal or employee health outcomes, especially for vulnerable subgroups?
  – What is the impact of the FMLA on gender discrimination?
Strong Public & Business Support

• **64 percent of voters** say they are more likely to vote for an elected official who supports policies such as paid family and medical leave, paid sick days and equal pay.

• Leaked internal polling shows potential and current state chambers of commerce members support paid leave.

1: Lake Research Partners/The Tarrance Group Survey of 2014 Election Voters
2: http://www.prwatch.org/news/2016/03/13072/chamber-commerce
What’s Next?