

Family and Medical Leave State and Federal Laws

Federal legislation

Family and Medical Leave Act, passed in 1993:

- Provides 12 weeks of unpaid leave for birth, adoption, elder care, care of sick relative.

- Provides job security and continuation of employer-sponsored health benefits.

- Applies to employers with 50 or more employees.

State legislation

California, 2002. First state to pass paid family leave legislation effective 2004:

- Provides most private sector workers up to six weeks of partial pay for time off to care for a new child (birth, adoption, foster care) or ill family member (parent, child, spouse, domestic partner).

- Eligible workers get up to 55% of

their wages, capped at \$728 per week in 2004.

- Resulted from expansion of California's State Disability Insurance Program (SDI).

- 100% employee funded.

In 2005, paid leave bills were introduced in 24 states, including New York and the District of Columbia.

NYS 2006 pending legislation

Families in the Workplace Act (S1501 and A1301A) would amend NYS Temporary Disability Insurance to include:

- 12 weeks paid leave for birth, adoption, elder care and sick relative care.

- Maximum weekly benefit of \$170.
- Estimated cost: 27 cents per worker per week or \$14.33 per worker annually.

- Covers private sector workers.

UUP members and other state workers would not be covered. Passage of this legislation would lend support to efforts to secure paid family leave provisions in state worker union contracts.

Sources: Family Caregiver Alliance (National Center on Caregiving); Labor Project for Working Families; New York State Paid Family Leave Coalition; National Partnership for Women and Families.

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