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PAID FAMILY LEAVE GUIDE OFFERS TIPS FROM CALIFORNIA FOR CREATING PROGRAMS ACROSS U.S.

Growing List of States Considering PFL Includes Arizona, Illinois, Maine, Massachusetts, Missouri, New Hampshire, New York, Oregon & Pennsylvania

Washington, DC – A new guide released today offers a primer on the nation's first paid family leave program, implemented six years ago in California, and the do's and don'ts other states should consider as they pursue similar proposals. The guide, from the Labor Project for Working Families and the Berkeley Center for Health, Economic & Family Security, sees California as a model for how Americans can juggle work and family responsibilities in the 21st century. Since 2004, the program has provided more than one million Californians paid leave from their jobs to tend to critical life events – bonding with a newborn or newly adopted child, or caring for a seriously ill family member.

"Today's workers have to juggle work and family like never before, and California has shown there's a significant and easy way for states to help facilitate that," said co-author **Netsy Firestein, founder and Director of the Labor Project for Working Families**. "With a largely successful six-year track record, California offers key lessons for what other states can do."

"More and more Americans are combining work with family responsibilities, and they can't afford to sacrifice one or the other," said co-author **Ann O'Leary, executive director of the Berkeley Center for Health, Economic & Family Security, at the University of California-Berkeley School of Law**. "We hope this implementation guide shows how states can best pursue smart policies for modern families and the modern workforce."

"A Guide to Implementing Paid Family Leave: Lessons from California" documents the full scope of how California's law came to be – from the Family and Medical Leave Act of 1993, which established a federal leave policy but without any wage replacement that made accessing leave difficult for low-wage earners, to a heated legislative process enacting California's paid leave law in 2002 and its implementation since. Coming on the heels of a new survey about the positive reception the program has received in its first six years, the 20-page guide draws on interviews with key individuals involved in passing the California legislation and overseeing its early implementation, including legislative aides, attorneys, work/family advocates, researchers and the state agency that administers the program, the Employment Development Department. The guide also explores the legislative and regulatory history of the program.

The guide outlines several successes of the California Paid Family Leave Program:

- Efficiently and well administered;
- A diverse work and family coalition involved in its creation and implementation, including labor unions, caregivers and senior organizations, child care and other grassroots groups, legal advocates and women's organizations, and community empowerment groups;
- Strong, cooperative relationship between advocates and the administrative agency;

- Use of existing administrative structures to quickly build the program.

The guide also identifies challenges California has faced to reach the full potential of paid family leave:

- Lack of job protection for employees who choose to use PFL;
- Confusing relationship to other state and federal family leave laws;
- Narrow definition of family members eligible for care under the law;
- Lack of awareness and the difficulties in accessing the benefit;
- Lack of comprehensive data and research on what is working and not working.

"If there were just three recommendations we could make to other states interested in designing a paid family leave program," the guide states, "we'd recommend":

1. Work to expand your state's job protection laws so that workers who have access to wage replacement for family leave will have the security of a job to return to.

2. Build in an outreach and education campaign that is robust, ongoing, and reaches underserved communities.

3. Form a close working relationship between advocacy organizations and the program's administrative agency, working together to make the program succeed.

Paid Family Leave is tied to the State Disability Insurance (SDI) fund and workers using it deal directly with the California Employment Development Department (EDD), not with employers. Workers who contribute to the fund are entitled to six weeks of partial pay each year while taking time off from work to bond with a newborn baby or adopted or foster child, and care for a seriously ill parent, child, spouse or registered domestic partner.

Under the law, workers may receive up to 55% of their weekly wages up to a maximum weekly benefit amount. The benefit amount is determined by weekly wages in the base period; in 2011 benefits are capped at a maximum weekly benefit amount of $987. Workers do not need to take all six weeks consecutively – the time can be taken intermittently as needed.

Interest in paid family leave at the state and federal level has steadily increased in recent years. In 2009, New Jersey became the second state in the nation to offer paid family leave benefits to its workers. In 2007, Washington State passed a paid parental leave program, but it is not yet implemented. Many other states are also seriously considering establishing paid family leave programs, including Arizona, Illinois, Maine, Massachusetts, Missouri, New Hampshire, New York, Oregon and Pennsylvania. President Obama's FY2011 budget also included a request that Congress provide funds for a "State Paid Leave Fund" to help states with start up costs associated with paid family leave programs – a sign of growing federal interest in supporting and encouraging state action.

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