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Senate Finance Committee Hearing on Exploring Paid Leave: Policy, Practice, and Impact on the Workforce, October 25, 2023

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A Better Balance (ABB), is a legal advocacy organization whose mission is to fight for policies that protect American workers from having to choose between caring for themselves and their families and maintaining their economic security. We have helped draft and pass paid family and medical leave (PFML) laws in states around the country and have assisted in the implementation of those laws. There are now 14 laws that guarantee PFML benefits to almost all workers in those states. Our chart outlining these laws can be found here: <https://www.abetterbalance.org/resources/paid-family-leave-laws-chart/>.

ABB runs a free and confidential legal helpline to assist workers in balancing work, health, and family. Through that helpline we hear from thousands of workers about their real-life problems in states where PFML is not available and about how important this benefit is to workers in states that do have such programs. From our experience in the states and from our callers, we know that there are certain key elements that must be included for a strong paid family and medical leave program. The federal program should learn from the experience of the states and craft a federal law along the same lines as these successful state programs.¹

I. State PFML programs have been extremely successful in supporting families.

Some statements at the hearing by those opposed to a strong PFML program sought to characterize state programs as having multiple problems. Those statements are unfounded. State programs have been successful with strong administration, strong uptake and strong positive impact on families. Specifically:

Those eligible have been able to access state PFML programs and it has made a difference in their lives. The newest state PFML laws are already showing significant success meeting the needs of workers who experience a serious illness (personal or family) or welcome a new child. State birthrate data shows that PFML laws are helping to reach those who need leave to bond with a new child, which is the second highest use of leave after a worker's own serious illness. A comparison of state birthrates to bonding claims shows that PFML laws have extremely strong utilization by new parents (with the number of annual applications to bond with a new child in WA, NY, and MA representing approximately 50-82% of the total number of annual births in the respective state). See attached analysis from A Better Balance.

In addition, through our national legal helpline, we have heard directly from callers who have used their state programs and for whom those programs have been a lifeline. One worker, **KeiLani, from Diamond, Washington** called in February 2023 when she fell ill with a condition her doctors could not diagnose, and found herself frequently in and out of the emergency room. KeiLani was able to take Washington PFML while she sought a diagnosis. She ultimately learned that she was pre-diabetic and had an autoimmune disorder. "Having Paid Family Leave allowed me to keep a roof over my head, bills in good standing and helped me pay for the medical attention and medications I was needing," KeiLani told us.

"Paid Family Leave not only assisted me financially, but it granted me the time I needed to undergo the series of appointments, tests and even procedures I was required to complete. Without Paid Family Leave, I don't know where I would have been, especially since I've spent over \$5,000 dollars in medical expenses this year alone and that does not include my medications. When you factor that unexpected expense in, no one is prepared to be able to cover that when they're in my current situation. I hope that my testimony attests why Paid Family Leave is important for not only people like me, but for others who may face this situation in the future." **Emilie, who works for a software company in Washington State**, called us because she will be undergoing chemotherapy for 6+ months as part of her cancer treatment. She has been approved to use Washington PFML intermittently while she undergoes treatment. Emilie contacted ABB's helpline for clarification about her rights and told us, "Washington PFML has been extremely important to me because I started treatment at 25, living with three roommates, with my fixed expenses like rent and car loan there to stay. I can only work part time with my chemo schedule, so having my income replaced even at a lower rate was life saving." **Paige, from New York**, said "After speaking with ABB, my nerves were put at ease for what I am entitled to while preparing to give birth. Having the short term disability and NY PFL benefits is the only way I was able to stay home with my newborn, bond and recuperate myself. It greatly lessened the financial stress of not working and having a newborn, but also let myself and my husband focus on what was important, our new member of our family."

PFML State Programs Are Benefiting Low-Wage Workers and their Families. In Washington State, 44% of approved PFML claims from July 1, 2021 to June 30, 2022, were by workers making \$26/hour or less.² In New York, the State Comptroller reported that "[e]mployees earning less than \$40,000 per year accounted for the largest number of claims, with the number decreasing as income rises, suggesting paid family leave is a particularly important benefit to low- to moderate-income employees."³ For example, **Luisa, a low-wage farmworker in upstate New York**, had this to say about New York's paid family leave program: "I was pregnant and wanted to take paid leave to spend time with my new baby. I wasn't sure if I qualified for [NYPFL], and had heard from my coworkers that our employer wouldn't provide it. I saw that ABB's helpline provides information in Spanish, so I called to receive more information. They explained to me the eligibility requirements for NYPFL, and shared information that helped me speak with my employer about my leave options. I was able to take my full twelve weeks of NYPFL and successfully returned to work. I'm grateful to have been able to spend time bonding with my baby, and that I didn't need to risk my paycheck to do so."

State PFML programs address the maternal and infant mortality health crisis, address racial inequities, cement women's attachment to the labor force and help workers navigate the COVID-19 crisis. PFML has been documented to provide a critically important safety net for workers welcoming a child and those who have a personal or family member serious illness. For example: A 2020 journal article showed that, "[i]mplementation of paid family leave policies in California was associated with a 12 percent reduction in postneonatal mortality after adjusting for maternal and neonatal factors."⁴ This outcome is consistent with a study of 141 countries that—controlling for other factors—found that an increase of 10 full-time-equivalent weeks of paid maternal leave reduced neonatal and infant mortality rates by 10% and the mortality rate of children younger than 5 by 9%.⁵ Conversely, a 2021 journal article on paid parental leave access concluded that "[i]nequitable access to paid parental leave through both employers and government programs exacerbates racial inequities at birth. This form of structural racism could be addressed by policies expanding access to paid leave."⁶ Moreover, a recent study found that state PFML programs have significantly increased women's attachment to the workforce after giving birth: "The analysis of states that have implemented paid leave policies found a 20 percent reduction in the number of women leaving their jobs in the first year after welcoming a child, and up to a 50 percent reduction after five years."⁷ AARP has detailed the common disruptions in employment for family caregivers, leading to short-term and long-term financial struggles, and called for PFML as one way to support family caregivers and their attachment to the workforce.⁸ PFML can also address unexpected crises. The Urban Institute showed that state PFML programs successfully absorbed and provided critical

support to a surge of workers affected by COVID-19.⁹ Furthermore, paid leave programs are critical for young workers, especially temporary and seasonal workers, foster families, young parents, LGBTQ youth, and youth with disabilities.¹⁰ For more on the incredibly robust—and growing—body of research on the health benefits of paid family and medical leave to new parents, infants and children, family caregivers, and individuals with disabilities, see our fact sheet.¹¹

State PFML programs are good for business and are uniformly popular once enacted. In a study of California businesses after PFML was passed a vast majority reported a positive or neutral effect on their business.¹² Small business owners in New York and New Jersey report similar satisfaction with PFML in their states.¹³ The benefits to business are numerous, as PFML allows small businesses especially to attract and retain top talent. Small businesses have the most to gain from state programs, as they are able to offer benefits they would not be able to afford on their own, and these policies are shown to be incredibly important to workers when selecting employment, and when choosing to stay with an employer.¹⁴ PFML programs are empirically shown to reduce turnover and increase recruitment,¹⁵ which results in major savings for employers, who are spared the cost of replacing employees.¹⁶ Businesses also report increases in employee productivity and profitability, with one cross-industry analysis finding increases of more than 50% in productivity implementing PFML programs.¹⁷ Fortune 500 companies also report an increase in share prices after implementing PFML programs.¹⁸

II. Workers without paid family and medical leave are suffering, as are their families.

Access to paid family and medical leave should not depend on luck or location. While **KaiLani, Emilie,** and **Luisa** were able to get the pay and job protection they needed to care for their loved ones and maintain economic security, far too many workers we hear from on our helpline do not have that same right. Below are just a few of their stories:

- **Brenda Castillo, from Erie, Pennsylvania,** was diagnosed with cancer this year and has not received a paycheck since August 19th due to her undergoing needed treatment. As a result, she has been left with no income to pay for her rent, utilities, or other basic needs. When she contacted our helpline, we had to inform her that unfortunately her state does not guarantee the right to paid medical leave. Brenda told us it is "hard with no funds to live on" and that there is "no reason" why someone in her situation should be "on the verge of homelessness."
- **Deanna is a 29-year-old counselor in Grand Rapids, Michigan.** Earlier this year, Deanna's daughter was born two months prematurely and spent the first weeks of her life in the NICU. While Deanna qualified for 12 weeks of unpaid, job-protected time off to bond with her baby under the federal Family & Medical Leave Act (FMLA), she could not afford to actually take that time. Deanna told us, "Since my child spent the majority of my 6 week leave in the NICU, I was not able to fully bond with my child. When it was time for her to come home, it was not possible financially to stay at home without income due to additional hospital expenses."
- **Alexandria, from Michigan,** worked as a studio manager at a massage studio in Michigan. After she announced her plans to start a family, her boss handed her an agreement to sign indicating that if she were ever to take leave for more than two days at a time, her salary would be suspended. Alexandria was very concerned about receiving income while recovering from childbirth, as she did not have access to short-term disability benefits through her company. She was also concerned that there was no guarantee her job would be held while she was on maternity leave. She ultimately made the difficult decision to resign and accept another job offer after her boss told her that maternity benefits "can't be that important."
- **Nathaniel Cunningham is a public utility worker in the Montrose, Colorado area.** He is a father of four daughters and recently needed to take time off work to care for his wife after a complicated delivery of their youngest daughter. Nathaniel exhausted his employer's vacation policy to take care of his wife after her emergency c-section. His newborn child is currently in the NICU, and Nathaniel's employer told him that if he did not return to work, he would be fired.

Nathaniel was forced to choose between his job and taking care of his family. Nathaniel could not afford to lose his job, so he returned to work and was unable to take care of his wife. Colorado's Family and Medical Leave Insurance program will allow Colorado workers to take paid leave to take care of themselves or their family members. Nathaniel would be eligible for this law; however, the act does not go into effect until January 2024.

- **Nicole, from Maryland**, was terminated from her retail job on December 26, 2021 when she needed to be absent for medical reasons due to severe pre-menopausal bleeding, despite informing her manager of the medical problems she was having, and indicating that the absence was for medical issues when she called out from work. She was denied FMLA leave since she had not yet been working there for a year.
- **Samuel¹⁹ from North Dakota**, called and shared his story with us: "I have almost two decades of experience working in the truck driving industry with a pristine driving record and multiple driving safety awards to my name. Last year, I started a new job as a driver for a trucking company in North Dakota. With this job, I felt like I'd finally found my niche. I loved getting to travel to dairy farms across the region where I would often be welcomed with home-cooked meals by the farmers and their families after delivering my load. This was truly an awesome job, yet I lost it because I chose to be there for my elderly father when he was ill and needed me. My father, a Korean War veteran, suffered a stroke last summer. At first, I tried to manage visiting him in the hospital while continuing to perform my job, but his condition was deteriorating, and it eventually got to a point where I had to make a decision. I told my employer that I needed to go home to say goodbye to my dad. I knew that if he passed away while I was on the road, and not there with him, I would regret it for the rest of my life. My company informed me that if I left my job to care for my father, I would be terminated, but I could "reapply" when I was ready to come back. Now that I am able to return to work, my employer is not willing to even consider bringing me back because they are so angry with me for leaving. I believe everyone should have the right to take time off work to be with their loved ones in critical moments, and no one should be made out to be a "bad" employee for doing so."
- **Caryn²⁰ works in the healthcare industry in Idaho**. She underwent an invasive major surgery mere months after having a growth removed. Initially, Caryn anticipated having only one procedure. She and her husband—who care for their five minor children currently living at home—made financial plans for it. When it became apparent that Caryn needed a second surgery as soon as possible, she felt she had no choice but to delay it due to financial reasons, even though she was in extreme pain. "This surgery should've been done six months ago when I had the original surgery," Caryn said, "but I had to wait to accrue more sick leave and PTO to cover this [recovery period]." Still, Caryn will only be paid for the first two weeks of what will be a 5-8 week recovery period. "This has definitely impacted us financially," Caryn said, "I'm going to have medical bills rolling in, student loan repayments, mortgage payments, our farm. We will just have to make it work, whether that means tightening our budget when it comes to groceries, animal care, livestock feed. We're going to have to pinch pennies in order to accommodate for it. People shouldn't have to choose between their health and well-being or necessary medical procedures, and their income. People should never be in that position to where they are waiting [to have necessary medical treatment] for fear of financial repercussions."
- **Arthur²¹, from Wisconsin, shared with us**: "I live and work in the state of Wisconsin. I have a family of four, and taking care of my family is my priority. I have been a dedicated employee at my company, where I work as a mechanic, for 13 years. This year, I started feeling more ill than I ever had before, and eventually I learned that I had an infection which developed into sepsis, and I needed to stay in the hospital for nearly a week, plus two weeks of recovery time. When I was well enough to return to work, my employer informed me that my pay was going to be reduced by \$100 per week for numerous weeks, as punishment for 'missing too many hours'... This very

unfortunate reduction in pay came at a time when my family was already struggling financially and going through some other very serious hardships.”

- **Kathryn Vaughn, from Tennessee, told us:** “I have been blessed to serve as a Tennessee elementary teacher for the last seventeen years and in the Fall of 2021 my husband, a proud Air Force combat veteran, and I welcomed our first child, a son we named Wyn. He was our greatest win after a decade of failed infertility treatments and a beautiful surprise after relinquishing our dreams of ever becoming parents. What should have been the happiest time was soon disrupted because after teaching through a pandemic and years using my sick and personal days, I was left with just three weeks of paid sick leave to spend with my son once he was born.... I returned to work before my body even had time to heal. I dove head first into teaching and working the after-school program, only seeing my newborn in the daylight on the weekends. It was a struggle, trying to recover, adjust to being a working mother, and find breaks to pump and send home breastmilk to feed my child. I carry a lot of guilt about that time. I was unable to be there for feedings, naptimes, doctors’ appointments, and tragically missed so many of our child’s development milestones... Every day we are losing highly qualified Tennessee teachers to other states and other professions that offer paid parental leave.”

These stories typify the struggle millions of workers are facing in this country. They also underscore the need for a comprehensive PFML program, one that allows workers to address personal medical needs, care for an ill loved on, and bond with a new child. Outlined below are the components of what comprises a successful and meaningful right to PFML.

III. State programs include key policies that any Federal paid leave program should also include. See our fact sheet: <https://www.abetterbalance.org/resources/key-components-the-essential-elements-of-strong-paid-family-and-medical-leave-law/>.

All workers should be covered, with achievable and equitable eligibility standards.

First and foremost, universal coverage is a key principle for a national paid leave system. All American workers deserve access to the paid family and medical leave they need. Requirements of attachment to the workforce should mirror state programs for PFML, which generally require a minimum amount of total earnings across a base period.²² These state requirements allow workers to combine income from multiple employers. Any worker meeting those requirements should be eligible to receive benefits. Carveouts based on employer size or type make no sense in a program like this, which should be a basic benefit for all workers.

Workers need a decent wage replacement in order to be able to take time off, especially workers at the bottom of the economic spectrum. The wage replacement rate (the percentage of their own income workers receive while on leave) is an important element of a PFML law: if the rate is too low, workers will not be able to afford to take the leave they need. This problem is especially acute for low-income workers living paycheck to paycheck, who need every dollar of their income to pay their bills. Though low-income workers are the most vulnerable, workers of any income level can find themselves unable to afford to take leave if the wage replacement rate is too low. In a major California study, workers across income levels reported that the 55% wage replacement level made it difficult to afford to use the program, potentially contributing to low rates of use.²³ For this reason, California amended their statute to raise the wage replacement rate, especially for low-wage workers. Congress can learn from the experience of existing programs and create a benefit level that works for workers. Most state PFML laws provide a progressive wage replacement rate.²⁴ Typically, this means that the program replaces a higher percentage of income up to a threshold amount, then replaces a lower percentage of income above that amount. This creates a sliding scale of income replacement. For example, the PFML program in Washington State provides 90% of workers’ wages up to 50% of the state average weekly wage (currently, approximately \$627.50) and provides 50% of workers’ wages above that amount,²⁵ with benefits capped at \$1,000 per

week, to be adjusted in subsequent years.²⁶ Washington, D.C.; Massachusetts; Connecticut; and Oregon will all use progressive wage replacement systems following this model, though their exact bend points and rates of replacement vary.²⁷ California already provides progressive wage replacement benefits.²⁸

Job protection is critical to the ability of a worker to take this benefit. A strong PFML law protects the jobs of workers taking leave by ensuring they have the right to return to work following their leave. Job protection for all employees covered by the program is an essential element—without it, although it is a money benefit, it’s not leave. This is especially important for low-income workers, who will often have less job security than other workers, because they change jobs more often than other workers²⁹ and are more likely to be working part time³⁰ (including many part-time workers who would prefer to be working full time).³¹ States are leading the way in providing paid leave with job protection. Massachusetts provides job protection to all employees covered by its paid family and medical leave law.³² Connecticut and Oregon provide job protection to workers who have been employed for approximately three months.³³ New York and Rhode Island provide job protection to all employees covered by their paid family leave laws.³⁴ Colorado, Minnesota and Maine will also provide job protection when their programs go into effect.³⁵ The need for job protection for workers in a PFML program cannot be overstated. The need for such leave occurs at some of the most stressful times in a person’s life: the arrival of a new child, a health crisis in the family, or a looming deployment. At these times, workers shouldn’t have to worry whether they will have a job to return to after their leave. Without a legal right to get their job back, many workers will be unwilling to risk their livelihood by taking the leave they need, as the risk to their long-term economic security will be too great. In one California study, fear of being fired was a commonly cited reason workers who were eligible for paid family leave under that state’s program did not take it.³⁶ In Rhode Island, 45% of workers who took leave under their state’s paid family leave law (which provides job protection) said that without the law they would not have taken leave for fear of losing their job.³⁷ Job protection keeps workers attached to the workforce. When workers are unable to take short-term leave and then return to their job, they are often pushed out of the workforce altogether. One study estimated that men who leave the labor force early due to caring for an aging parent lose almost \$90,000 in wages, while women who do so lose over \$140,000 in wages.³⁸ Women who take paid leave after having a baby are more likely to be working 9 to 12 months after the birth than women who take no leave.³⁹ And keeping workers on the job saves taxpayers money. Both men and women who return to work after taking paid leave are much less likely to be receiving public assistance or food stamps in the year following their child’s birth than those who return to work without taking family leave.⁴⁰ A strong PFML law would also ensure that all workers are protected against retaliation for using their rights under the law. This protection is especially important in light of the rise of punitive absence control policies, where workers are assigned points for each absence and subject to punishment when they receive too many points.⁴¹ States are also leading the way in prohibiting retaliation. For example, Massachusetts’s paid family and medical leave law offers particularly robust protections against retaliation. The law includes a rebuttable presumption that any adverse action taken within six months of the exercise of a protected right was retaliatory.⁴² Similarly, as part of a set of recent amendments to expand and improve their paid family and medical leave law, New Jersey added new strong anti-retaliation protections.⁴³ In addition, a strong PFML program also should ensure that workers won’t lose their health insurance coverage while they are on leave. Massachusetts and Oregon guarantee continuation of health insurance coverage as long as they have been employed by their employer for at least 90 days prior to taking leave.⁴⁴ New York and Rhode Island guarantee continuation of coverage to all workers taking paid family leave.⁴⁵

A strong paid family and medical leave bill reflects and protects the diversity of today’s American families. Families today take many forms: they are multi-generational, blended,⁴⁶ LGBTQ,⁴⁷ and increasingly include close loved ones who aren’t biologically or legally related.⁴⁸ To work for all American families, a strong paid leave law would include a broad family definition that specifically covers spouses, domestic partners, children (regardless of age), parents, parents of a spouse or domestic partner, grandchildren, grandparents, siblings, nieces and nephews, aunts and uncles, and any other

individual related by blood or affinity whose close association with the worker is the equivalent of a family relationship. Nationwide trends regarding family structures show that broad family coverage is imperative for strong paid leave laws. Today, adults ages 18 to 44 are more likely to have lived with an unmarried significant other than to have ever been married,⁴⁹ and as of 2016, the rising number of cohabiting adults in the U.S. reached about 18 million.⁵⁰ Thus, coverage of domestic partners and significant others is critical to many workers in long-term, committed relationships. In addition to caring for spouses, children, and parents, workers often provide care to—or rely on care from—other biological, legal, and extended relatives with whom they share a close relationship. Since 1980, for example, the number of Americans living in multi-generational households has doubled to 57 million.⁵¹ Given the prevalence of multi-generational households across the country, it is extremely important that any paid family and medical leave program cover grandparents and grandchildren. Furthermore, children of all ages should be covered because adult children with a serious illness are no less in need of care from their parents than any other adult to whom the worker is related; and older children, especially those who have not formed a family, will still rely on their parents for care in the face of a serious illness. Nationwide, 82% of children under the age of 18 live with at least one sibling, and as a long-lasting family relationship, many siblings look to their sisters or brothers as the first person to whom they would turn for care in the event of a serious illness.⁵² This is often true for people with disabilities; as more people with disabilities outlive their parents, an increasing number of individuals are receiving primary care from siblings and extended family.⁵³ When an individual is sick or has a medical emergency, they often rely on individuals they live with—even absent a blood or legal relationship—for help and caregiving. While relationships with such close loved ones are important to many workers, a 2016 national survey showed that they are even more significant for LGBTQ people and people with disabilities.⁵⁴ An inclusive family definition is also important to members of the armed forces because many of those injured or ill as a result of their military service rely on friends or neighbors for care, particularly true for those who were ill or injured as a result of their service after September 11, 2001, as those service members are nearly twice as likely as their civilian counterparts to rely on care from friends and neighbors.⁵⁵

States with paid family and medical leave laws understand the demographics of working families and have led the way with inclusive family definitions. All paid family leave jurisdictions cover at least workers' parents, spouses, children, grandparents, and parents-in-law.⁵⁶ Additionally, in all jurisdictions the definition of "child" includes adult children,⁵⁷ and in eight of nine states with paid family and medical leave, domestic partners are explicitly covered.⁵⁸ California, Massachusetts, New Jersey, Washington, D.C., Washington State, Connecticut, and Oregon also cover workers' siblings.⁵⁹ California, Massachusetts, New Jersey, New York, Washington State, Connecticut, and Oregon also cover workers' grandchildren.⁶⁰ In New Jersey, Connecticut, and Oregon workers can also take leave to care for other loved ones—whether biologically or legally related or not—to whom the worker has a close association that is the equivalent of a family relationship, though their exact definitions slightly differ. This definition includes close relationships with biological or legally related family members (such as aunts, uncles, nieces, and nephews), as well as close loved ones with whom the worker lacks a biological or legal relationship (such as a significant other or a best friend who is like a sibling).⁶¹ When they take effect, the new programs enacted in Colorado, Minnesota, and Maine will also all have inclusive definitions of family that will protect most members of workers' extended and chosen families.⁶² The federal government also has a successful track record of providing essential protections for the varied forms of working families—the expanded definitions of family used in PFML laws around the country borrow from a federal definition of family that includes workers' spouses, domestic partners, adult and minor children, parents, grandparents, grandchildren, siblings, and those whose close association with the employee is the equivalent of a family relationship and those definitions have been used since 1969.⁶³

Thank you for your consideration and your attention to this important issue. We welcome the opportunity to continue working with you to pass the strong, comprehensive paid family and medical leave law America's working families need.

¹ For more detailed information on state paid family and medical leave laws, please see our comparative chart at <https://www.abetterbalance.org/resources/paid-family-leave-laws-chart/>.

² See, Washington Paid Family and Medical Leave, 2022 Annual Report to the Legislature, at p. 42, https://app.leg.wa.gov/ReportsToTheLegislature/Home/GetPDF?fileName=paid-family-and-medical-leave-2022-annual-report-to-legislature_6a68f749-2d7d-4566-bc4f-6094bcca44d2.pdf; Washington Paid Family and Medical Leave, 2021 Annual Report to the Legislature (<https://media.esd.wa.gov/esdwa/Default/ESDWAGOV/newsroom/Legislative-resources/2021-paid-family-and-medical-leave-annual-report-to-legislature.pdf>); CDC, Vital Statistics Rapid Release, Births: Provisional Data for 2021, (<https://www.cdc.gov/nchs/data/vsrr/vsrr020.pdf>)

³ Office of the New York State Comptroller, DiNapoli: State's Paid Family Leave Program Helping Millions of New Yorkers: Employees Earning Under \$40k Had Largest Number of Claims, (April 28, 2023) [https://www.osc.state.ny.us/press/releases/2023/04/dinapoli-states-paid-family-leave-program-helping-millions-new-yorkers#:~:text=An%20analysis%20of%20claims%20data,%2Dto%20moderate%2Dincome%20employees.](https://www.osc.state.ny.us/press/releases/2023/04/dinapoli-states-paid-family-leave-program-helping-millions-new-yorkers#:~:text=An%20analysis%20of%20claims%20data,%2Dto%20moderate%2Dincome%20employees.;); CDC, Vital Statistics Rapid Release, Births: Provisional Data for 2021, <https://www.cdc.gov/nchs/data/vsrr/vsrr020.pdf>;

⁴ Diana Montoya-Williams et al., The Impact of paid family leave in the United States on birth outcomes and mortality in the first year of life, 55 Health Services Research 52, 807-814, at 812 (April 5, 2020), <https://onlinelibrary.wiley.com/doi/10.1111/1475-6773.13288>.

⁵ Jody Heymann et al., Creating and Using New Data Sources to Analyze the Relationship Between Social Policy and Global Health: The Case of Maternal Leave, 126 Public Health Rep. Suppl. 3, 127-134 (2011), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3150137/>.

⁶ Julia M. Goodman et al., Racial/Ethnic Inequities in Paid Parental Leave Access, 5 Health Equity 1, 738-749 at 738, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8665807/pdf/heq.2021.0001.pdf>.

⁷ March of Dimes Center for Social Science Research, New Study Reveals Paid Family Leave Policies Lead to 20% Fewer Women Leaving the Workforce, (Jan. 3, 2020), <https://www.marchofdimes.org/about/news/new-study-reveals-paid-family-leave-policies-lead-to-20-fewer-women-leaving-workforce>.

⁸ Susan C. Reinhard et al., Valuing the Invaluable: 2023 Update, Strengthening Supports for Family Caregivers, AARP Public Policy Institute, (March 2023), <https://www.aarp.org/content/dam/aarp/ppi/2023/3/valuing-the-invaluable-2023-update.doi.10.26419-2Fppi.00082.006.pdf>.

⁹ Chantel Boyens, State Paid Family and Medical Leave Programs Helped a Surge of Workers Affected by the COVID-19 Pandemic, The Urban Institute, (June 2020), <https://www.urban.org/sites/default/files/publication/102325/state-paid-family-and-medical-leave-programs-helped-a-surge-of-workers-affected-by-the-covid-19-pandemic.pdf>.

¹⁰ For a series of fact sheets related to the need for paid family and medical leave for young workers, specifically, see A Better Balance, FACT SHEET: The Case for Paid Family and Medical Leave for Foster Placement (Aug. 22, 2023), <https://www.abetterbalance.org/resources/fact-sheet-the-case-for-paid-family-and-medical-leave-for-foster-placement/>; A Better Balance, FACT SHEET: Part-Time Workers Need Paid Leave (Aug. 22, 2023), <https://www.abetterbalance.org/resources/fact-sheet-part-time-workers-need-paid-leave/>; A Better Balance, FACT SHEET: Closing the Wage Gap for Young Black Women (Aug. 22, 2023), <https://www.abetterbalance.org/resources/fact-sheet-closing-the-wage-gap-for-young-black-women/>; A Better Balance, FACT SHEET: Parents Caring for Adult Children Need Access to Paid Leave (Aug. 22, 2023), <https://www.abetterbalance.org/resources/fact-sheet-parents-caring-for-adult-children-need-access-to-paid-leave/>; A Better Balance, FACT SHEET: The Need for Paid Family and Medical Leave As A Critical Support for Young Adults' Maternal Health (Aug. 22, 2023), <https://www.abetterbalance.org/resources/the-need-for-paid-family-and-medical-leave-as-a-critical-support-for-young-adults-maternal-health/>; A Better Balance, FACT SHEET: The Importance of a National Right to Paid Family and Medical Leave for Young Workers of Color (Aug. 22, 2023), <https://www.abetterbalance.org/resources/fact-sheet-the-importance-of-a-national-right-to-paid-family-and-medical-leave-for-young-workers-of-color/>; A Better Balance, FACT SHEET: The Importance of a National Paid Sick Leave Law for Young Workers of Color (Aug. 22, 2023), <https://www.abetterbalance.org/resources/fact-sheet-the-importance-of-a-national-paid-sick-leave-law-for-young-workers-of-color/>; A Better Balance, FACT SHEET: Comprehensive Paid Family and Medical Leave: A Critical Measure for LGBTQ Youth (Aug. 22, 2023), <https://www.abetterbalance.org/resources/fact-sheet-comprehensive-paid-family-and-medical-leave-a-critical-measure-for-lgbtq-youth/>; A Better Balance, FACT SHEET: The Importance of Paid Family and Medical Leave for Young Breastfeeding & Lactating Workers (Aug. 22, 2023), <https://www.abetterbalance.org/resources/fact-sheet-importance-of-paid-family-and-medical-leave-for-young-breastfeeding-lactating-workers/>. [Endnote updated after submission on December 1, 2023.]

¹¹ A Better Balance, The Health Case for Paid Family and Medical Leave, (Nov. 30, 2021), <https://www.abetterbalance.org/resources/the-health-case-for-paid-family-and-medical-leave>.

¹² Small Business Majority, California Small Business Owners Support Expanding Paid Family Leave Protections, Increasing Paid Sick Days, (July 12, 2023), <https://smallbusinessmajority.org/sites/default/files/research-reports/ca-small-business-support-paid-family-leave-and-paid-sick-days.pdf>.

¹³ Ann P. Bartel et al., Support for Paid Family Leave among Small Employers Increases during the COVID-19 Pandemic (Dec. 2021), Socius: Sociological Research for a Dynamic World, <https://journals.sagepub.com/doi/full/10.1177/23780231211061959>.

¹⁴ Joan Williams, Unbending Gender: Why Work and Family Conflict and What to Do About It, (2001).

¹⁵ Benjamin Bennett et al., Paid Leave Pays Off: The Effects of Paid Family Leave on Firm Performance (Nat'l Bureau of Econ. Rsch., Working Paper No. 27788, 2021), https://www.nber.org/system/files/working_papers/w27788/w27788.pdf.

¹⁶ *Id.*

¹⁷ Panorama & Am. Sustainable Business Council, The Business Impacts of Paid Leave (2019), https://www.asbcouncil.org/sites/main/files/file-attachments/panorama_report_-_business_impacts_of_paid_leave.pdf.

¹⁸ Michelle M. Arthur & Alison Cook, Taking Stock of Work-Family Initiatives: How Announcements of "Family-Friendly" Human Resource Decisions Affect Shareholder Value, 57 Industrial & Labor Relations Review, 608-10 (2004).

¹⁹ Name changed to protect the worker's anonymity.

²⁰ Name changed to protect the worker's anonymity.

²¹ Name changed to protect the worker's anonymity.

²² 28 R.I. Gen. Laws Ann. § 28-41-11(b) (West 2019); Cal. Unemp. Ins. Code §§ 3302(n), 2652 (West 2019); N.J. Stat. Ann. § 43:21-27(i)(4), -41(d) (West 2019); Mass. Gen. Laws Ann. ch. 175M, § 1 (West 2019); *id.* at ch. 151 A, § 24; S.B. 1, 2019 Gen. Assemb., Reg. Sess. § 1(4) (Conn. 2019); H.B. 2005, 80th Legis. Assemb., Reg. Sess. § 2(11) (Or. 2019). In some states, these earnings must be spread out over a certain period of time within the four-quarter base period. 28 R.I. Gen. Laws Ann. § 28-41-11(b)(1) (West 2019); N.J. Stat. Ann. § 43:21-27(i)(4), -41(d) (West 2019); Mass. Gen. Laws Ann. ch. 175M, § 1 (West 2019); *id.* at ch. 151 A, § 24. Washington, uniquely, uses a minimum number of hours worked (from any combination of employers) over a similar four-quarter base period, reflecting the state's distinctive unemployment insurance eligibility standard. Wash. Rev. Code Ann. § 50A.30.020(1) (West 2020). New York uses a non-earnings based system. *See* N.Y. Workers' Comp. Law § 203 (McKinney 2019). Washington, D.C. has no minimum workforce attachment standard for paid leave benefits, but those who have been employed in the District for less than a year receive a pro-rated benefit. D.C. Code Ann. § 32-541.01(3)-(6) (West 2020).

²³ Andrew Chang & Co, *supra* note 40, at 70.

²⁴ Cal. Unemp. Ins. Code §§ 3301(b), 2655(e) (West 2019); D.C. Code Ann. § 32-541.04(g)(1)-(2) (West 2020); Wash. Rev. Code Ann. § 50A.15.020(4) (West 2020); Mass. Gen. Laws Ann. ch. 175M, § 3(b) (West 2019); S.B. 1, 2019 Gen. Assemb., Reg. Sess. § 3(c)(2) (Conn. 2019); H.B. 2005, 80th Legis. Assemb., Reg. Sess. § 7 (Or. 2019).

²⁵ Wash. Rev. Code Ann. § 50A.15.020(4) (West 2020).

²⁶ Wash. Rev. Code Ann. § 50A.15.020(5)(a) (West 2020).

²⁷ D.C. Code Ann. § 32-541.04(g)(1)-(2) (West 2020) (provides 90% of a worker’s average weekly wage up to an amount equal to 40 times 150% of the D.C. minimum wage and 50% of a worker’s average weekly wage above an amount equal to 40 times 150% of the D.C. minimum wage); Mass. Gen. Laws Ann. ch. 175M, § 3(b) (West 2019) (provides 80% of a worker’s average weekly wage up to an amount equal to 50% of the statewide average weekly wage and 50% of a worker’s average weekly wage above an amount equal to 50% of the statewide average weekly wage); S.B. 1, 2019 Gen. Assemb., Reg. Sess. § 3(c)(2) (Conn. 2019) (provides 95% of a worker’s average weekly wage up to an amount equal to 40 times the state minimum wage and 60% of a worker’s average weekly wage above an amount equal to 40 times the state minimum wage); H.B. 2005, 80th Legis. Assemb., Reg. Sess. § 7 (Or. 2019) (provides 100% of a worker’s average weekly wage up to an amount equal to 65% of the statewide average weekly wage and 50% of a worker’s average weekly wage above an amount equal to 65% of the statewide average weekly wage).

²⁸ California uses a system that creates three tiers of wage replacement. The first tier applies to workers who earn less than a fixed amount set in statute (approximately \$71.46 per week); workers in this tier receive \$50 per week. The second tier applies to workers who earn at least as much as a fixed amount set in statute (approximately \$71.46 per week) but less than approximately 33% of the state average weekly wage (for 2019, this works out to approximately \$414.26 per week); workers in this tier receive 70% of their *total* average weekly wage. The third tier applies to workers who earn at least approximately 33% of the state average weekly wage (for 2019, this works out to approximately \$414.26 per week); workers in this tier receive either approximately 60% of the worker’s *total* average weekly wage or an amount equal to 23.3% of the state average weekly wage (for 2019, this works out to approximately \$289.57), whichever is greater. See Cal. Unemp. Ins. Code §§ 3301(b), 2655(e) (West 2019).

²⁹ Jacquelyn Anderson et al., *A New Approach to Low-Wage Workers and Employers*, MDRC 5 (Mar. 2006), https://www.mdrc.org/sites/default/files/full_9.pdf.

³⁰ Pamela Loprest et al., *Who Are Low-Wage Workers?*, U.S. Dep’t Health & Hum. Servs. (Feb. 2009) <https://aspe.hhs.gov/system/files/pdf/180021/rb.pdf>.

³¹ Lonnie Golden, *Still Falling Short on Hours and Pay: Part-time Work Becoming New Normal*, Econ. Policy Inst. (Dec. 5, 2016), <http://www.epi.org/publication/still-falling-short-on-hours-and-pay-part-time-work-becoming-new-normal/>.

³² Mass. Gen. Laws Ann. ch. 175M, § 2(e) (West 2019).

³³ Oregon will provide job protection to all covered workers who have been employed with their current employer for at least 90 days. H.B. 2005, 80th Leg. Assemb., Reg. Sess. § 10(1), (7) (Or. 2019). Connecticut made substantial amendments to its existing state unpaid leave law as part of the same bill that created its paid leave program. The amended unpaid leave law provides job protection to nearly all private sector employees in the state who have been employed with their employer for at least three months. Workers receiving benefits for domestic violence-related purposes do not have job protection under that law, although they may have employment protection under Connecticut’s family violence leave law. Conn. Gen. Stat. Ann. § 31-51nn(a) (West 2019).

³⁴ N.Y. Workers’ Comp. Law § 203-b (McKinney 2019); 28 R.I. Gen. Laws Ann. § 28-41-35(f) (West 2019).

³⁵ Colo. Rev. Stat. § 8-13.3-509; Minn. Stat. 268B.09 (2023); 1 M.R.S. § 850-J (2023).

³⁶ Appelbaum & Milkman, *supra* note 33.

³⁷ Barb Silver, Helen Mederer, & Emilija Djurdjevic, *Rhode Island’s Temporary Caregiver Insurance Program: Findings from the First Year* (2015).

³⁸ MetLife Mature Mkt. Inst., *The MetLife Study of Caregiving Costs to Working Caregivers* (2011), <https://www.caregiving.org/wp-content/uploads/2011/06/mmi-caregiving-costs-working-caregivers.pdf>.

³⁹ Houser & Vartanian, *supra* note 8.

⁴⁰ Cal. Senate Office of Research, *California’s Paid Family Leave Program: Ten Years After the Program’s Implementation, Who Has Benefited and What Has Been Learned?* 6 (July 1, 2014), http://sor.senate.ca.gov/sites/sor.senate.ca.gov/files/Paid_Family_Leave_FINAL_A1b.pdf; Andrew Chang & Co., *Paid Family Leave Market Research*, Cal. Emp. Dev. Dep’t 86 (July 13, 2015), https://www.edd.ca.gov/Disability/pdf/Paid_Family_Leave_Market_Research_Report_2015.pdf.

⁴¹ See A Better Balance, *Pointing Out: How Walmart Unlawfully Punishes Workers for Medical Absences* (June 2017), <https://www.abetterbalance.org/wp-content/uploads/2017/05/Pointing-Out-Walmart-Report-FINAL.pdf> (explaining that Walmart, the world’s largest private employer, has used point-based absence control policies).

⁴² Mass. Gen. Laws Ann. ch. 175M, § 9(c) (West 2019).

⁴³ N.J. Stat. Ann. § 43:21-55.2 (West 2019).

⁴⁴ Mass. Gen. Laws Ann. ch. 175M, § 2(f) (West 2019); H.B. 2005, 80th Legis. Assemb., Reg. Sess. § 10(2), (7) (Or. 2019).

⁴⁵ N.Y. Workers’ Comp. Law § 203-c (McKinney 2019); 28 R.I. Gen. Laws Ann. § 28-41-35(g) (West 2019).

⁴⁶ According to the U.S. Census Bureau, 16% of children live in “blended families,” or households with a stepparent, stepsibling, or half-sibling. *Parenting in America: Outlook, Worries, Aspiration Are Strongly Linked to Financial Situation*, Pew Research Center 19 (2015), https://www.pewresearch.org/wp-content/uploads/sites/3/2015/12/2015-12-17_parenting-in-america_FINAL.pdf.

⁴⁷ It is estimated that 4.5% of Americans, or over 11 million people, self-identify as lesbian, gay, bisexual, or transgender. Frank Newport, *In U.S., Estimate of LGBT Population Rises to 4.5%*, Gallup (May 22, 2018), <https://news.gallup.com/poll/234863/estimate-lgbt-population-rises.aspx>. Additionally, estimates show that between 2 million and 2.7 million minor children have an LGBTQ parent. Gary J. Gates, *Marriage and Family: LGBT Individuals and Same-Sex Couples*, Future Child., Fall 2015, at 67, 72.

⁴⁸ Nearly 33 million households in the United States, or 28% of all households, consist of an individual who lives alone, and in an emergency or during an illness, many of these individuals rely on care from close loved ones. See *Selected Social Characteristics in the United States, 2013-2017 American Community Survey 5-Year Estimates*, U.S. Census Bureau, [https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_14_5YR_DP02&prodType=table%20c%20\(last%20accessed%20September%202018](https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_14_5YR_DP02&prodType=table%20c%20(last%20accessed%20September%202018) (last visited Jan. 30, 2020). Additionally, in a 2016 national survey, 32% of people in the U.S. reported that they took time off work to provide care for a chosen family member. Katherine Gallagher Robbins et al., *People Need Paid Leave Policies That Cover Chosen Family*, Center for American Progress 2 (2017), <https://cdn.americanprogress.org/content/uploads/2017/10/26135206/UnmetCaregivingNeed-brief.pdf>.

⁴⁹ “[T]he share of adults ages 18 to 44 who have ever lived with an unmarried partner (59%) has surpassed the share who has ever been married (50%) . . .” Juliana Menasce Horowitz et al., *Marriage and Cohabitation in the U.S.*, Pew Research Center (Nov. 6, 2019), <https://www.pewsocialtrends.org/2019/11/06/marriage-and-cohabitation-in-the-u-s/>.

⁵⁰ Renee Stepler, *Number of U.S. Adults Cohabiting with a Partner Continues to Rise, Especially Among Those 50 and Older*, Pew Research Center (Apr. 6, 2017), <https://www.pewresearch.org/fact-tank/2017/04/06/number-of-u-s-adults-cohabiting-with-a-partner-continues-to-rise-especially-among-those-50-and-older/>.

⁵¹ Richard Fry & Jeffrey S. Passel, *In Post-Recession Era, Young Adults Drive Continuing Rise in Multi-generational Living*, Pew Research Center (July 17, 2014), <https://www.pewsocialtrends.org/2014/07/17/in-post-recession-era-young-adults-drive-continuing-rise-in-multi-generational-living/#fn-19695-1>. Multi-generational households are particularly prevalent in communities of color; approximately 25% of Latinx and Black Americans, and 27% of Asian Americans live in a multi-generational household. *Id.*

⁵² Rachel Dunifon et al., *Siblings and Children’s Time Use in the United States*, 37 Demographic Res. 1611, 1612 (2017).

⁵³ As more people with disabilities outlive their parents, an increasing number of adult siblings have taken on primary caregiving responsibilities. Rajan A. Sonik et al., *Sibling Caregivers of People With Intellectual and Developmental Disabilities: Sociodemographic Characteristics and Material Hardship Prevalence*, 54 *Intell. & Developmental Disabilities* 332 (2016). Over 50% of sibling caregivers report having an annual income of less than \$25,000, making paid leave crucial. John Reagan et al., *Research Brief: Sibling Caregivers Experience Less Choice and Control*, Family Support Research and

Training Center at the University of Illinois at Chicago (2016), https://fsrtc.ahslabs.uic.edu/wp-content/uploads/sites/9/2016/11/FSRTC-Data-Brief_1_2016-3-3.pdf.

⁵⁴ 42% of LGBT individuals and people with disabilities reported “taking time off to care for chosen family,” compared with 31% of non-LGBT people and 30% of people without disabilities. Gallagher Robbins *et al.*, *supra* note 3, at 3. Family networks are particularly important to older LGBTQ adults who are especially likely to rely on those loved ones. MetLife Mature Mkt. Inst. & Am. Soc’y of Aging, *Still Out, Still Aging: The MetLife Study of Lesbian, Gay, Bisexual, and Transgender Baby Boomers* 15-17 (Mar. 2010), <https://www.asaging.org/sites/default/files/files/mmi-still-out-still-aging.pdf>.

⁵⁵ Rajeev Ramchand *et al.*, *Hidden Heroes: America’s Military Caregivers*, RAND Corp. 34 (2014), https://www.rand.org/pubs/research_reports/RR499.html (explaining that nearly a quarter of caregivers for post-9/11 military care recipients are friends or neighbors, while nearly 13% of caregivers for civilian care recipients are friends or neighbors).

⁵⁶ Nine states have passed paid family and medical leave laws with inclusive family definitions that can be found at: Rhode Island (28 R.I. Gen. Laws Ann. § 28-41-34 (West 2019)); California (Cal. Unemp. Ins. Code § 3302(f) (West 2019)); New Jersey (N.J. Stat. Ann. § 43:21-27(n) (West 2019)); New York (N.Y. Workers’ Comp. Law § 201(20) (McKinney 2019)); Washington, D.C. (D.C. Code Ann. § 32-541.01(7) (West 2020)); Washington State (Wash. Rev. Code Ann. § 50A.05.010(10) (West 2020)); Massachusetts (Mass. Gen. Laws Ann. ch. 175M, § 1 (West 2019)); Connecticut (S.B. 1, 2019 Gen. Assemb. (Conn. 2019)). The law is only partially codified. The full text of the law can be found at <https://www.cga.ct.gov/2019/lcoamd/pdf/2019LCO09302-R00-AMD.pdf>); Oregon (H.B. 2005, 80th Legis. Assemb., Reg. Sess. (Or. 2019)). The full text of the law can be found at <https://olis.leg.state.or.us/liz/2019R1/Downloads/MeasureDocument/HB2005/Enrolled>.

⁵⁷ 28 R.I. Gen. Laws Ann. § 28-41-34(1) (West 2019); Cal. Unemp. Ins. Code § 3302(c); N.J. Stat. Ann. § 43:21-27(k) (West 2019); N.Y. Workers’ Comp. Law § 201(16) (McKinney 2019); D.C. Code Ann. § 32-541.01(7)(A) (West 2020); Wash. Rev. Code Ann. § 50A.05.010(1) (West 2020); Mass. Gen. Laws Ann. ch. 175M, § 1 (West 2019); 458 Mass. Code Regs. 2.02 (2019); S.B. 1, 2019 Gen. Assemb. § 17(6), (15) (Conn. 2019); H.B. 2005, 80th Legis. Assemb., Reg. Sess. § 2(18)(b), (6) (Or. 2019).

⁵⁸ While Rhode Island, California, New Jersey, Washington, D.C., Washington State, and Oregon require that domestic partners be registered, New York and Massachusetts both have flexible domestic partner definitions that do not require legal registration. 28 R.I. Gen. Laws Ann. § 28-41-34(6) (West 2019); Cal. Unemp. Ins. Code § 3302(d) (West 2019); N.J. Stat. Ann. § 43:21-27(l) (West 2019); D.C. Code Ann. § 32-541.01(7)(C) (West 2020); Wash. Rev. Code Ann. § 50A.05.010(22) (West 2020); H.B. 2005, 80th Legis. Assemb., Reg. Sess. § 2(18)(g), (9) (Or. 2019); N.Y. Workers’ Comp. Law § 201(17) (McKinney 2019); Mass. Gen. Laws Ann. ch. 175M, § 1 (West 2019); 458 Mass. Code Regs. 2.02 (2019).

⁵⁹ Cal. Unemp. Ins. Code § 3302(f) (West 2019); Mass. Gen. Laws Ann. ch. 175M, § 1 (West 2019); N.J. Stat. Ann. § 43:21-27(n) (West 2019); D.C. Code Ann. § 32-541.01(7)(E) (West 2020); Wash. Rev. Code Ann. § 50A.05.010(10) (West 2020); S.B. 1, 2019 Gen. Assemb. § 17(6) (Conn. 2019); H.B. 2005, 80th Legis. Assemb., Reg. Sess. § 2(18)(d) (Or. 2019).

⁶⁰ Cal. Unemp. Ins. Code § 3302(f) (West 2019); Mass. Gen. Laws Ann. ch. 175M, § 1 (West 2019); N.J. Stat. Ann. § 43:21-27(n) (West 2019); N.Y. Workers’ Comp. Law § 201(20) (McKinney 2019); Wash. Rev. Code Ann. § 50A.05.010(10) (West 2020); S.B. 1, 2019 Gen. Assemb. § 17(6) (Conn. 2019); H.B. 2005, 80th Legis. Assemb., Reg. Sess. § 2(18)(f) (Or. 2019).

⁶¹ N.J. Stat. Ann. § 43:21-27(n) (West 2019) (“‘Family member’ means . . . any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship.”); S.B. 1, 2019 Gen. Assemb. § 17(6) (Conn. 2019) (“‘Family member’ means . . . an individual related to the employee by blood or affinity whose close association the employee shows to be the equivalent of those family relationships.”); H.B. 2005, 80th Legis. Assemb., Reg. Sess. § 2(18)(h) (Or. 2019) (“‘Family member’ means . . . [a]ny individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship”).

⁶² Colo. Rev. Stat. § 8-13.3-503(11); Minn. Stat. 268B.01(23) (2023); 1 M.R.S. §850-A(19) (2023).

⁶³ The relevant language covers “any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.” Absence and Leave: Funeral Leave, 34 Fed. Reg. 13,655 (Aug. 26, 1969) (codified at 5 C.F.R. pt. 630) (first implemented during the Vietnam War, allowing federal workers to take funeral leave for the combat-related deaths of loved ones); Absence and Leave; Voluntary Leave Transfer Program, 54 Fed. Reg. 4749 (Jan. 31, 1989) (codified at 5 C.F.R. pt. 630); Absence and Leave; Sick Leave, 59 Fed. Reg. 62,266 (Dec. 2, 1994) (codified at 5 C.F.R. pt. 630).