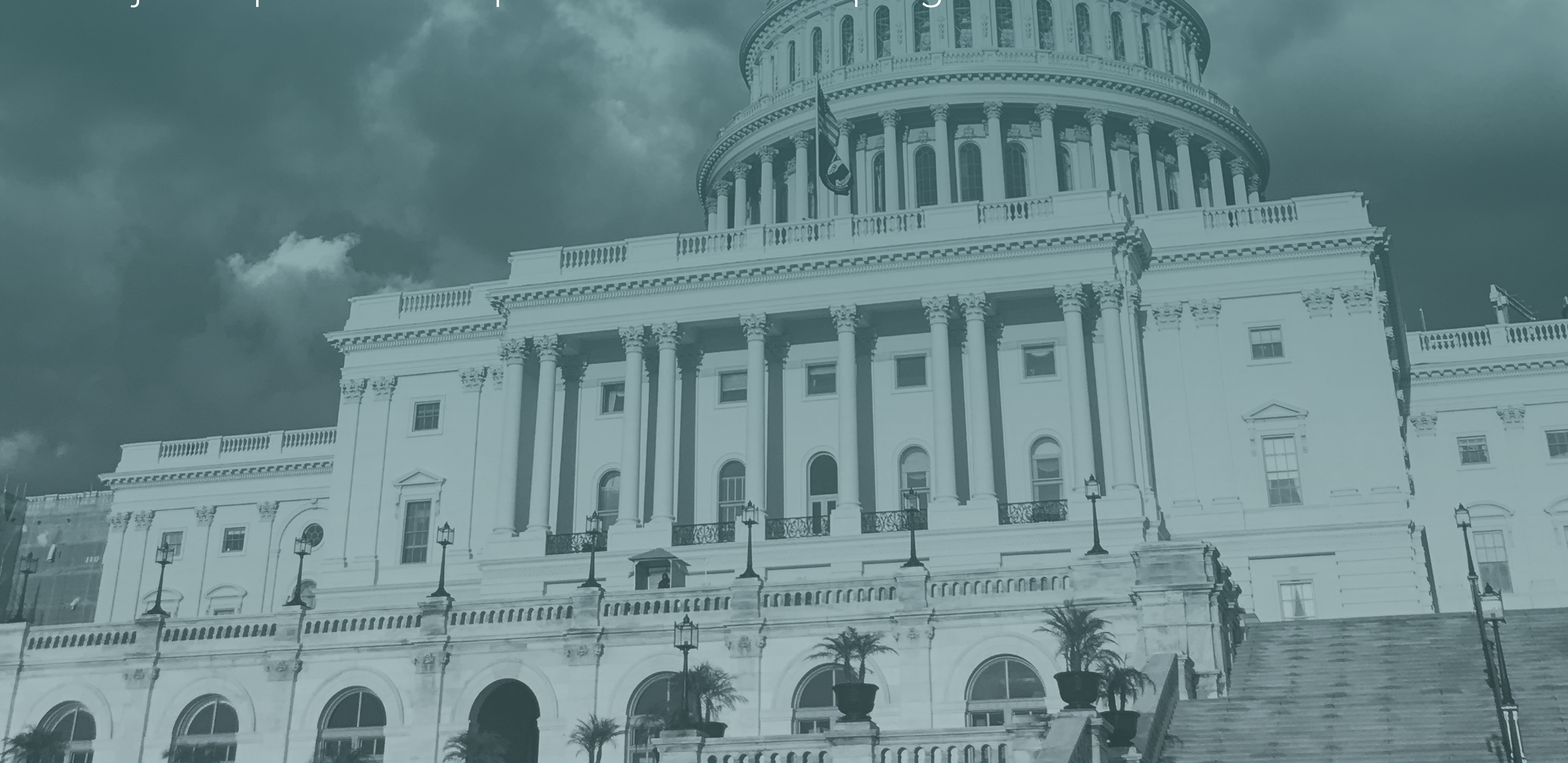
DATA FOR ***PROGRESS***

PAID LEAVE THAT LEAVES NO ONE BEHIND:

PAID LEAVE IN CONGRESS AND CAMPAIGN 2020

Americans need and want a plan that covers everyone and reflects the diversity of US families, with new revenue to support it. They also reject a plan that require cuts to other programs.



Too Few Workers Have Paid Time to Care, and Nearly Everyone Will Need It

Babies are born and adopted. People get sick. At some point, everyone will provide care to a loved one, receive care for themselves, or both—and most people will need time away from their jobs to do so. Yet, US public policy and most employers' policies stand in the way of people being able to care for one another. Workers, families, small businesses, the country's economy, and taxpayers pay a high price.

Today, more than four in five US workers (81 percent) do not have paid family leave from their jobs for family care,[1] and 60 percent do not have short-term disability insurance through their jobs to ensure they have paid leave for their own serious health issues, including pregnancy-related health challenges.[2] These aggregated figures mask substantial disparities by occupation, industry, and wage levels,[3] and also mask unequal access to paid leave—even within the same firm.[4]

The country's failure to address people's need for paid family and medical leave perpetuates gender, economic, health, and racial disparities that endure from generation to generation. In other words, the absence of paid family and medical leave means babies are separated too soon from their working parents; our country's older adults face lonely days in hospitals and nursing homes; and working people run to chemotherapy on their lunch break without time to rest and recover.

In most other high-wealth countries, government policies provide the security people need. Public policies ensure people have paid leave from their jobs to care for a new child or a seriously ill loved one, or to take time away from their jobs to get the medical treatment and recovery time they need.[5]

But not so in the United States. Current US law, the Family and Medical Leave Act of 1993 (FMLA), establishes a minimal standard for unpaid leave that covers only 59 percent of the workforce.[6]

The FMLA provides twelve weeks of *unpaid* leave for eligible workers in covered businesses. Covered workers can use FMLA leave to take time away from work to care for a new child; a seriously ill or injured parent, spouse, or child; their own serious health issue; or to address certain circumstances associated with the overseas deployment of a service member or reserve member in their families. It also guarantees up to twenty-six weeks of unpaid leave for family caregivers to a wounded service member or veteran.[7]

The FMLA guarantees eligible workers who take leave the right to return to their job and to have their health insurance maintained while they are on leave; some employees may have sick or vacation leave they can use during an FMLA leave but there is no guarantee.[8] The inability to take an unpaid leave means that even workers who have FMLA protections may be unable to use them. In 2012, the most common reason that workers who said they needed an FMLA leave but did not take it said their decision came down to money—they could not afford an unpaid leave.[9]

What's more, the FMLA applies to only six-in-ten workers because of coverage and eligibility restrictions.[10] Employers are exempt if they have fewer than fifty employees, which carves out the tens of millions of workers who help power small businesses.[11] Workers are also excluded from FMLA protections if they have worked for their employer for less than one year or less than 1,250 hours within the past twelve months,[12] which disproportionately excludes women, younger workers, workers with multiple part-time (usually low-wage) jobs, and workers whose caregiving responsibilities have interrupted their ability to work.[13]

The "Boss Lottery" Leaves Tens of Millions of Americans Behind

The current landscape of insufficient FMLA coverage and employer-by-employer decisions about whether to provide paid leave to workers means precarity and uncertainty for tens of millions of our country's workers and their families. Workers with access to paid leave and a workplace culture that makes it safe to use available paid leave have won a "boss lottery" of sorts, while others struggle to navigate the challenges of work and care.

Higher-paid, higher-skilled workers are much more likely to win the "boss lottery" than lower-wage and middle-wage workers. There's nearly a six-to-one difference in access to paid family leave access between the highest-paid workers (34 percent) and the lowest-paid workers (6 percent), according to the Bureau of Labor Statistics.[14] Workers in management, business, and financial industry jobs (28 percent) are twice as likely to have paid family leave as workers in service industry jobs (14 percent); full-time employees (22 percent) are nearly three times as likely to have paid family leave as part-time employees (8 percent).[15]

There are also substantial racial inequities built into access to paid leave and the inability to afford unpaid leave. In 2017, black Americans were twice as likely (26 percent) and Latinx people were nearly twice as likely (23 percent) as white people (13 percent) to report needing but choosing to forgo an FMLA-type leave within the last two years.[16] Latinx people, especially those who immigrated to the United States, are significantly and substantially less likely than white people to have any type of paid leave.[17] Race discrimination, the racial wealth gap, higher poverty rates for people of color, less ability to afford unpaid leave, and poorer health all combine to make access to paid leave a racial justice issue.[18]

The United States' Paid-Leave Gaps Affects Workers, Families, Businesses, and the Economy—and Evidence Shows the Pathway to a Different Future

America's failures with paid leave affect the health and economic security of individuals and their families; they also affect businesses, health systems, taxpayers, and the economy.[19]

Too often, opponents wrongly focus on the costs of providing paid leave, which employers and public programs show can be quite modest and reasonable. Opponents also ignore the costs the country is already bearing as a result of the status quo. A growing body of research suggests the better focus is on the value of paid leave and the cost of doing nothing. Key findings include:

FOR MOTHERS. Access to paid leave helps women stay, succeed, and advance in the workforce by supporting their labor-force attachment, workforce participation, and earnings. For women who have given birth, access to paid leave also supports health and recovery.[20]

PAID LEAVE FOR EVERY AGE

For younger workers: Crushing student debt and a rising cost of living, coupled with lack of access to paid leave and affordable child care, too often means putting off having children—which ultimately will hurt the country's ability to maintain its spending levels and tax base.

For workers in their prime earning years with family responsibilities: The absence of paid leave and other forms of workplace flexibility makes it challenging to care for children at home and Baby Boomer parents, which can limit workplace opportunities and suppress future earnings and savings—especially for women, who are typically their families' primary caregivers.

For older workers: The absence of paid leave means difficult choices between continuing to work and leaving the workforce to be a caregiver to an elderly family member. This is especially true when coupled with wages that are not rising too slowly to afford the cost of paying for a loved one's care, and with retirement savings that haven't recovered from the Great Recession.

FOR FATHERS. Access to paid leave after a child's birth helps promote fathers' long-term engagement in their child's life.[21] Men's leave-taking may also boost women's workplace earnings and narrow the gender pay gap.[22]

FOR NEW CHILDREN AND SICK CHILDREN. Children's health is improved through breastfeeding and well-baby visits, which are both more likely to happen when parents have access to paid leave. Children's brain development is substantially aided by having a parent or other loving caregiver to care for them in their first months. For sick children, the presence of a parent shortens a child's hospital stay and improves health outcomes.[23]

FOR CAREGIVERS TO OLDER ADULTS AND PEOPLE WITH DISABILITIES. Paid leave helps keep family members who provide care to older relatives in the workforce.[24] In the alternative, when adults aged fifty and older are forced to leave work to care for an aging parent, they lose an average of $304,000 in income and retirement savings over the course of their life.[25] Caregivers for children and adults with disabilities also need to be able to take leave, and their own health and economic security may be improved when they are able to do so.[26]

FOR WORKING PEOPLE WITH SERIOUS HEALTH CONDITIONS. A substantial share of workers in each generation—and especially Baby Boomers—have serious health conditions requiring a substantial period of time away from work.[27] Without paid leave, workers may be unable to follow physicians' orders regarding treatment, rest, and recuperation.[28] And for workers not covered by the FMLA, they can jeopardize their job and their access to health insurance if they do take the time they need.

FOR BUSINESSES. Businesses see benefits when their workers have access to paid leave, including higher retention and morale.[29] Smaller businesses see benefits in terms of the affordability of ensuring workers have access to leave.[30]

FOR PUBLIC SPENDING. Access to paid leave in California reduced nursing-home utilization by 11 percent.[31] When new parents have access to paid leave, they are less likely to use public assistance and Supplemental Nutrition Assistance Program (SNAP).[32]

FOR THE ECONOMY. Economists estimate that the US would have an additional $500 billion in economic activity if women in the United States participated in the workforce at the same rate as women in Canada or Germany and have identified paid leave as one of the interventions that could help bring about this result.[33]

Progress in States Should be Bellwether for National-Level Change

Eight US states and the District of Columbia have recognized the harm to workers and families in their states and have adopted laws on paid family and medical leave. Workers in California, New Jersey, New York, and Rhode Island can take paid leave through the insurance programs their states have adopted.[34] Programs in Connecticut, the District of Columbia, Massachusetts, Oregon, and Washington are currently being implemented and will begin paying benefits to workers between 2020 and 2023.[35]

Each state program operates in a similar way—these states collect modest payroll taxes of 1 percent or less from employers, employees, or both in order to fund programs that provide a substantial share of a worker's wages as they take weeks or months away from their jobs to care for a new child, a seriously ill or injured loved one, or address their own serious health issue.[36] Evidence from the existing programs show they are working well—with solvent funds, benefits for workers and families, and no adverse effects on businesses.[37]

Research has shown the importance of certain key elements of programs:

- **Affordability of taking paid leave:** All but two state programs offer 70 percent wage replacement or more to low-wage workers—and the newest programs will offer between 80 and 100 percent of wages to the lowest-wage workers in their states. Workers who are paid average wages in each state receive about two-thirds of their typical wages.[38]
- **Covering all workers for all FMLA reasons:** Personal medical leave is the most common reason people use state programs for paid family and medical

leave,[39] but experience shows how one family might use all three kinds of leave in close succession: a woman dealing with complications of pregnancy would use personal medical leave and her partner, or a close family member, would use family-caregiving leave to help take care of her; both parents would then use new baby leave to care for their child after birth. Or, for instance, a worker needing cancer treatment or surgery uses personal medical leave, but their partner or a close family member would use family-caregiving leave to help managing treatments and providing care during recovery.

- **Flexibility in family-caregiving responsibilities:** While existing federal FMLA law only permits workers to take family-caregiving leave to care for a seriously ill or injured parent, spouse, or child, state laws for paid leave recognize that families are diverse and allow workers to take paid leave to care for a wide range of family members with serious health issues. Every state law includes grandparents; most include grandchildren, siblings, parents-in-law, and domestic partners; and three will include the ability to take leave for "chosen" family—a person to whom the worker shares a close affinity similar to that of a family member.

- **Adequately meeting duration-of-care needs:** The FMLA sets a twelve-week federal baseline for unpaid leave. Older programs for temporary-disability insurance in California, New Jersey, New York, and Rhode Island provide a substantial number of weeks (twenty-six to fifty-two weeks) for a personal medical issue, though the typical duration of leave claims is ten to sixteen weeks.[40] California and New Jersey have provided six weeks for family-caregiving and new-child leave since their programs began, but they will soon be expanding to eight weeks (California) and twelve weeks (New Jersey) by virtue of recently passed expansions. Rhode Island's family-caregiving and new-parent leave is just four weeks—the least of any state. New York's will be twelve weeks by the time the program is fully phased in (2021). Among newer programs in Connecticut, Massachusetts, Oregon and Washington, leave durations will range from twelve weeks to twenty-six weeks.[41] Research based on international and US evidence suggests at least a twelve-week baseline for each of the three major purposes for paid family and medical leave is available.[42]

- **Protecting workers' jobs during leave:** State programs for paid leave began by providing wage replacement to workers, but these programs did not provide employment protections beyond that offered through the federal FMLA or equivalent state FMLA laws. Research found that the absence of job protection for workers in smaller businesses was a barrier to using paid-leave benefits, especially among lower-wage workers.[43] Expansions of older laws in California and New Jersey as well as the inclusion of job protection in most of the newer laws will address this shortcoming and help connect more workers to the benefits they funding through the payroll taxes they contribute to the state paid leave fund.[44]

It's Time for Federal Action: A FAMILY Act That Leaves No One Behind

Most members of Congress have been slow to realize that a federal paid leave policy is a national imperative, but some have been long-standing champions. Beginning in 2013, Senator Kirsten Gillibrand (D-NY) and Representative Rosa DeLauro (D-CT) began building support for the Family and Medical Insurance Leave (FAMILY) Act. The bill now has nearly two hundred Democratic and independent cosponsors in the US House of Representatives and thirty-five in the US Senate,[45] the support of nearly seven hundred organizations nationwide,[46] two hundred business and management professors,[47] more than seventy-five large and small businesses and business leaders,[48] and 80 percent of likely voters.[49] This proposal would create an affordable, sustainable, and integrated national paid family and medical leave fund similar to those in the states.

The FAMILY Act's national paid family and medical leave program would cover virtually all working people in the United States. It would provide up to twelve weeks of paid leave at two-thirds of a worker's typical wage for caregiving related to the birth, adoption, or foster placement of a child; caregiving related to the serious illness or injury of a parent, spouse, domestic partner, or child; a worker's own serious health issue; the military deployment of a parent, spouse, domestic partner, or child; or, for military families, a wounded service member. It would prohibit employers from retaliating against workers who take leave. Part-time, full-time, and gig workers would all be covered.[50] It would be funded through payroll deductions of less than one half of 1 percent of a worker's wages (0.4 percent), shared by employers and employees, for an average cost of less than $2 per week; self-employed workers would also be automatically covered and would pay the full 0.4 percent.

Public support for the parameters of the FAMILY Act is well established, as is voters' and small businesses' willingness to pay into the FAMILY Act fund. Support for funding the program through payroll deductions is regularly around 70 percent, with majority support even from small business owners and operators. In addition, voters are overwhelmingly willing to pay into the FAMILY Act fund, and most are willing to pay one percent or more of their wages—far more than the FAMILY Act would cost.[51]

The effects of the bill would be dramatic. As drafted, the FAMILY Act would substantially reduce the income lost to families when they need to take a family or medical leave and have no choice but to do so without pay,[52] and it would substantially reduce the share of lower-income families falling into poverty, compared to taking an unpaid leave.[53] The FAMILY Act would allow the vast majority of the hundred-million-plus workers who do not currently have paid family leave through their jobs to have access to baseline benefits, and it would leave room for employers and states to offer even more robust benefits.

The US House of Representatives should take action on the FAMILY Act in this Congress, especially as leadership considers issues that excite voters in the Democratic base. The proposal also has strong appeal to Democratic primary voters across region, race, age and virtually every other demographic group.[54] In 2019, the House Ways and

GROWING A FAMILY & PROVIDING CARE: HOW DO JANET AND GREG FARE NOW VS. WITH THE FAMILY ACT?

Looking at the circumstances of a hypothetical couple illustrates how the FAMILY Act would work to provide economic stability as they grow their family and deal with serious health issues:

Janet is an executive assistant at a manufacturing company where she is paid $48,000 per year and does not currently have any paid family or medical leave. Her husband, Greg, works for a small business in their town and is paid $70,000 per year.

Janet has had a complicated pregnancy, and two weeks before her delivery date, her doctor puts her on bed rest. Greg uses one week of vacation time to care for her prior to delivery and another week, unpaid, to help her and care for the baby just after delivery. Ideally, they will each take twelve weeks away from work over the course of their child's first several months.

Without the FAMILY Act, Janet would lose $923 per week in gross pay, or nearly $11,077 for all twelve weeks. Greg uses five vacation days, but then will lose $1,346/week or nearly $14,808 for the other eleven weeks he is providing care to his wife and child. This will make it difficult, if not impossible, for them to make their monthly mortgage payments, their student-loan payments, and take on the extra expenses of diapers and baby supplies.

With the FAMILY Act, however, Janet and her employer would each pay $1.84 in each weekly paycheck, or just under $96 per year, into a national paid-leave fund. Greg and his employer would each pay $2.70 in each weekly paycheck, or just over $140 over the course of a year.

With FAMILY Act benefits, Janet would receive $618 per week in paid leave benefits, and Greg would receive about $902 per week. This is still less than their usual income—which makes them wonder if Greg should cut his leave time short—but they can now meet their basic obligations without missing payments, jeopardizing their emergency savings, or borrowing from family and friends.

Means Committee has held two hearings focused on paid family and medical leave, but it has not yet held a legislative hearing on or marked up the FAMILY Act.

Based on states' experiences, improvements to the FAMILY Act could help make it even more reflective of the needs of workers and their families. The wage replacement could be updated to replace a higher share of wages for lower-wage workers, as will be done by states like Connecticut (95 percent wage replacement), Massachusetts (80 percent), Oregon (100 percent), Washington (90 percent), New Jersey (85 percent, post-expansion) and the District of Columbia (90 percent); the family relationships covered could be expanded to include grandparents, grandchildren, siblings, in-laws, and close friends whose relationship to a worker is the equivalent of a family member; and it could provide additional employment protections—or work in tandem with an expanded FMLA—to ensure that no one who uses the FAMILY Act will lose their job.

TAX CREDITS EXACERBATE INEQUALITY AND MAKE NO ONE HAPPY

Let's turn back to Janet and Greg. Janet's employer decides to take up the JCTA paid leave tax credit and offers six weeks of paid family and medical leave at 50 percent wage replacement in order to qualify. The company now pays Janet half her usual salary ($461.50) for six weeks, for a total of $2,769. So, in essence, during her twelve weeks of leave, Janet has one-fourth of her usual income, which makes it very hard to make ends meet. She is stressed about the income loss and her bills.

In return, Janet's company receives a tax credit of 12.5 percent of what they paid out ($346), but they do not receive this money until they file next year's taxes. In addition, Janet and her colleagues wonder why the company couldn't have managed to pay her a higher portion of her salary or covered more weeks. The company's policy, while better than before, still seems stingy, and the company doesn't get the reputational benefit of offering paid leave that companies with better policies do.

Greg's company doesn't have the capacity to create new HR policies that would allow them to take advantage of the tax credit, so they pass and Greg will go without pay once he has exhausted his vacation time.

Beware of Harmful, False Alternatives

Until recently, paid leave was an issue nearly wholly associated with Democrats; Republicans either ignored the issue or bristled against the revenue it would require, the intervention it would create, and the "incentives" it would provide to help women stay connected to work rather than home.[55]

Times are changing, though. Demographic, economic, and political realities may each have played a role in shifting Republicans' perspectives. Bipartisan interest is warranted and welcome, but not all paid-leave proposals are good or effective policy, and some would do more harm than good to the very workers who need paid leave the most.

EMPLOYER TAX CREDITS: A GIVEAWAY THAT EXACERBATES INEQUALITY

Republican perspectives on paid leave began to shift in 2014, when Senator Deb Fischer (R-NE) first introduced a bill called the Strong Families Act, which proposed a small tax credit (25 percent of the cost of providing paid leave) to companies that voluntarily provided paid family and medical leave.[56] An even more anemic version of this proposal was included for a two-year period in the Republican's 2017 Tax Cuts and Jobs Act (JCTA). This version provides a corporate tax credit of 12.5 to 25 percent of wages paid to a worker on leave, capped at $3,000 per worker. This credit is limited to paid leave benefit paid to workers earning less than $72,000. Companies are eligible for this credit if they provide workers at least 50 percent of their typical pay, for at least two weeks, and for at least one FMLA purpose.[57]

There is no evidence that the availability of this tax credit resulted in workers gaining new access to paid family and medical leave. Prior corporate tax credits intended to change companies' employment practices (for example, to hire unemployed workers or to place child care centers on site) suggests that they are not sufficient incentives to change business behavior. At worst, this tax credit likely functions as a giveaway to companies that already offered paid leave benefits; at best, the tax credit may have marginally increased access to paid leave—but without any guarantee that the leave available would reflect all FMLA needs, offer adequate wage replacement, or be for an adequate duration.[58]

ASKING NEW PARENTS TO SAVE FOR THEIR OWN PAID LEAVE

Some lawmakers want to increase leave-taking by creating a tax shelter for workers who can save for their own paid parental leave and for the employers of workers who choose to contribute to a parental leave savings account. The Working Parents Flexibility Act, introduced by Representatives John Kakto (R-NY) and Anthony Brindisi (D-NY), would provide a tax-free savings account for workers to save for their own parental leave and for their employers to contribute.[59]

A savings account is only useful to workers who have disposable income to save and who are informed enough to know how to find and use tax-preferred savings accounts. Most workers—especially lower- and middle-income workers—do not even have or contribute to retirement accounts.[60]

NO SAVINGS FOR JANET AND GREG

A paid-leave savings account would do Greg and Janet no good. Like many people, they already struggle to afford their current expenses and to save for retirement. Even if they choose to put their savings toward paid leave instead of retirement, it would take them many years to save enough to fund a twelve-week paid leave. Moreover, because the funds could only be used after a child's birth, Janet's pre-delivery medical leave and Greg's leave to care for Janet would not be eligible for paid-leave savings account payments.

NEW PARENT LEAVE THROUGH STARVED STATE UNEMPLOYMENT-INSURANCE PROGRAMS

The Trump administration has included paid leave for new parents in its proposed budgets for the past three years,[61] but the administration has not actively pursued legislation to implement this idea.

TRUMP'S PLAN FAILS TO MEET JANET AND GREG'S NEEDS AND HARMS THEIR EMPLOYERS, TOO

Under Trump's plan, Janet and Greg would both be ineligible for paid leave prior to their child's birth even though Janet is on bedrest and needs Greg to help care for her. This is because Trump's plan only covers the time new parents need to care for their child, not the medical leave or family-caregiving leave that comes with the realities of many pregnancies and birth experiences. This means that Janet would go without paid leave for the two weeks she's on bedrest, and that Greg would either use his vacation days during that week or leave Janet to fend for herself.

After their child is born, Janet and Greg could each take six weeks of paid leave, but the level of wage replacement they receive is likely to be too low to make leave affordable without sacrificing timely mortgage or student-loan payments. This means Greg may cut his leave time short since he has higher wages and is not dealing with the physical recovery of giving birth, leaving Janet to care for herself and for the baby.

In addition, their state's reserve fund may not be enough to cover unemployed workers if a recession hits, and state lawmakers might cover the extra costs of providing paid leave by raising taxes on employers, cutting unemployed people off the benefit rolls or making it harder for unemployed people to receive their benefits. If the taxes employers pay are "experience rated" for leave, Janet's employer's taxes would go up more than Greg's employer's taxes since Janet is taking a longer leave; this could harm the prospects of women like Janet in the employment market, since employers may perceive them as a greater liability and costlier to employ than men.

The proposal calls for six weeks of paid leave to new mothers and fathers, administered through state unemployment-insurance (UI) programs, with federal funds to help run the program but without funding for the benefits. States would presumably need to raise unemployment-insurance taxes on employers or cut existing unemployment-insurance benefits to pay for this mandate.

There are multiple problems with this approach. First, offering paid leave only to new parents would exclude more than 75 percent of people who use FMLA each year; 55 percent of workers use the FMLA for their own serious health issue, and another 18 percent use it to care for a seriously ill or injured family member;[62] usage of state paid-leave programs follows a similar pattern.[63] Second, the benefit itself is inadequate: just six weeks at UI wage-replacement rates and benefit caps, which replace no more than two-thirds of the average weekly wage in any state and typically replace about half of the average weekly wage, capping benefits in most states at $450 per week or less; and state-by-state variance in eligibility rules create inconsistencies across states, often carving out young and lower-wage workers, who need leave the most since their employers are least likely to provide it.[64] Third, neither state UI funds nor state UI technology can handle the inclusion of a new program without significant new investments.[65]

LEAVE FOR NEW PARENTS BY DELAYING RETIREMENT AND TAKING A SOCIAL SECURITY BENEFIT CUT

US Senators Joni Ernst (R-IA), Mike Lee (R-UT), Mitt Romney (R-UT), and Marco Rubio (R-FL), along with several US House members, have proposed that parents "pull forward" their Social Security benefits to fund the time they take away from work to care for a new child. Rubio and Romney have introduced Economic Security for New Parents Act,[66] and Ernst and Lee have proposed the Child Rearing and Development Leave Empowerment (CRADLE) Act (Ernst/Lee).[67] These proposals have small differences in eligibility, benefits, and duration, but their fundamental premise is that people could draw on the Social Security benefits they would otherwise only be entitled to when they retire (Rubio–Romney) or become disabled (Ernst–Lee) in order to care for a new child for one, two, or three months. The monthly benefits an individual receives would be calculated based on existing Social Security formulas.[68]

In exchange, under each proposal, new parents would delay their retirement by two months or more for each month of leave that they take to care for a child; the Economic Security for New Parents Act also provides the option of beneficiaries retiring on time in exchange for agreeing to lower benefits for the first five years of their retirement. When the Urban Institute analyzed a similar proposal, they found that a person who takes a twelve-week leave would need to work an additional twenty-to-twenty-five weeks, and that any delay in receiving Social Security retirement benefits functions as a lifetime benefit cut of about 3 percent for each twelve-week leave taken.[69]

These proposals have been roundly criticized. Progressives argue that parental leave alone isn't enough to meet the needs of the 75 percent of workers who use FMLA for serious personal and family health needs; that women and the same people who do not have paid leave now—younger people, poorer people, people of color—also do not have other sources of funds at retirement; and that reimagining Social Security benefits as these proposals suggest would help pave a path toward Social Security privatization.[70] Conservatives worry that this new program is a slippery slope to a larger "entitlement" and will drain Social Security coffers too quickly,[71] though the Urban Institute and the Social Security Actuaries do not predict it would have a major impact.[72]

NEW PARENT LOANS IN EXCHANGE FOR A REDUCED CHILD TAX CREDIT

Over the summer of 2019, Senators Bill Cassidy (R-LA) and Krysten Sinema (D-AZ) floated a new concept: allowing parents of newborn or newly adopted children under the age of six to "pull forward" up to $5,000 per household as a loan against the value of their future anticipated Child Tax Credit (CTC), which they would pay back in the form of a lower CTC during a payback period that can extend for up to ten years.[73] Very-low-income workers could receive 100 percent of their typical wages for a twelve-week period of time, which they would pay back over fifteen years.[74]

Critically, though, the Cassidy–Sinema concept is not paid leave. It is a loan, and it fails to recognize that families across the country rely on the full value of the newly expanded CTC to help offset the high costs of child care—which exceed the costs of college in many states—and the expenses associated with raising a child.[75]

JANET AND GREG'S CTC LOAN IS BOTH INADEQUATE AND A LONG-TERM BURDEN

Janet and Greg decide to "pull forward" their child tax credit to receive a loan of $5,000 while Janet is out of work before and after their baby is born, and to help recoup some of the wages Greg lost during his one unpaid week of leave. For this couple, $5,000 is less than half of the $11,077 Janet loses in pay during her unpaid leave, which makes it very difficult for them to have her take a full twelve weeks. What's more, they will need to put their newborn into child care until the child can enter public school, and they are all too aware that even a $2,000 annual CTC isn't enough, much less a reduced CTC of $1,500 for ten years as they pay back their $5,000 loan.

JANET AND GREG ARE FORCED TO GAMBLE ON RETIREMENT

As with the Trump plan, the Social Security "pull forward" plans would render Janet and Greg both ineligible for paid leave prior to their child's birth even though Janet is on bedrest and needs Greg to help take care of her. This is because benefits are not available until after a child is born or adopted. This means that Janet would go without paid leave for the two weeks she's on bedrest, and that Greg would either use his vacation days during that week or leave Janet without the care she needs.

Once the baby comes, Janet and Greg could each apply for benefits and could choose to take one, two, or three months off as long as they are willing to gamble on being able to work longer as they age; they would prefer to be able to take leave in weekly (rather than monthly) increments to maintain flexibility, but that is impossible with these plans. Moreover, the monthly benefits they receive will be less than 50 percent of their current wages, using current structures of retirement- or disability benefits, which may not be enough to allow them to afford their expenses without hardship and may prompt them to take shorter leaves. They also did not realize that even if they agree to work past their typical retirement age to "pay themselves back," they'll receive less over the rest of their lives in cumulative Social Security retirement benefits.

Neither Janet nor Greg's current employers provide employees with a pension or offer an employer-match contribution to their individual retirement savings. In addition, they already save less than experts say they should for retirement; it's been challenging to afford a home and make student-loan payments and still save for retirement. Now, with looming new-child expenses and a desire to start saving for their child's education, Janet and Greg feel especially worried. They fear that Social Security may be their primary source of income when they retire (if they can ever retire), and by using Social Security benefits to take time to care for their baby, they'll have reduced retirement income forty years down the road because a Social Security delay amounts to a lifetime benefit cut.

PAID LEAVE PROPOSALS IN CONGRESS

YES NO NOT GUARANTEED

KEY ELEMENTS OF PAID FAMILY AND MEDICAL LEAVE PROGRAMS

	All FMLA purposes*	At least 12 weeks*	Adequate wage replacement*	Adequate new revenue*	Addresses disparities in benefits	Helps low-wage workers	Employment protections
FAMILY Act (Sen. Gillibrand (D-NY)/Rep. DeLauro (D-CT-3))	YES	YES	YES	YES	YES	YES	YES
Paid Leave Tax Credit (Sen. Fischer (R.-NE))	NOT GUARANTEED	NO	NOT GUARANTEED	NO	NO	NOT GUARANTEED	YES
Paid Leave Savings Account (Rep. Katko (R-NY-24)/Rep. Brindisi (D-NY-22))	NO	NO	NOT GUARANTEED	NO	NO	NO	NO
Trump Parental Leave Plan	NO	NO	NO	NO	YES	NOT GUARANTEED	NO
Cradle Act/Economic Security For New Parents Act (Sen. Ernst (R-IA)/Sen. Lee (R-UT))/Economic Security for New Parents Act (Sen. Rubio (R-FL)/Sen. Romney (R-UT)/Rep. Wagner (R-MO-2)/Rep. Crenshaw (R-TX-2))	NO	NO	NOT GUARANTEED	NO	YES	NO	NO
Child Tax Credit Pull-Forward (Sen. Cassidy (R-LA)/Sen. Sinema (D-AZ))	NO	YES	NOT GUARANTEED	NO	YES	NO	NO

Presidential Campaign Pace Set by Senator Gillibrand's FAMILY Act

Paid leave is a 2020 presidential campaign issue. Most Democratic candidates have included paid family and medical leave in their platform; every current member of Congress seeking the Democratic nomination has cosponsored the FAMILY Act, as have all other candidates who have served in Congress since the FAMILY Act was first introduced in 2013; other policymakers have taken action at the state or local level.[76] On the Republican side, Donald Trump's campaign is already touting his paid family leave position as part of his "record" on women's issues.[77]

Although most candidates have not yet elaborated on their plans to advance national paid leave, a few stand out:

- Mayor Pete Buttigieg has included paid leave and an endorsement of the FAMILY Act in his labor agenda and his rural-economy agenda.[78] Buttigieg also adopted paid parental leave for city employees in South Bend, Indiana, as its mayor.[79]

- New Jersey Senator Cory Booker, an original cosponsor of the FAMILY Act each time it has been introduced, has endorsed a strong paid-leave plan as part of his commitment to strengthening health care, and has promised to include a paid-leave point person in his office of reproductive health.[80]
- California Senator Kamala Harris is a FAMILY Act cosponsor and has included a tie-in to paid leave in her equal pay plan, pledging to fight for the current FAMILY Act and to use the fines companies would pay under per equal pay plan to augment FAMILY Act benefits so that workers receive a higher portion of their wages while on leave.[81]
- Minnesota Senator Amy Klobuchar has included paid family leave in two parts of her "First 100 Days blueprint"—fighting for legislation to guarantee paid family leave and providing incentives in the federal contracting process for federal contractors to provide paid family leave.[82] In addition, she included her support for paid family leave legislation as a component of her plan to address seniors' health needs.[83] Senator Klobuchar is also a longtime cosponsor of the FAMILY Act in Congress.
- Massachusetts Senator Elizabeth Warren's plan to advance women of color in the workplace would require federal contractors to provide paid family leave.[84] Senator Warren is also a longtime cosponsor of the FAMILY Act in Congress.

When the 2020 general election begins, the Democratic nominee will certainly need to distinguish herself or himself from Trump's limited, harmful plan in order to help voters see distinctions and credential themselves as a true champion for women and working families.

PRESIDENTIAL CANDIDATES' POSITIONS ON KEY ELEMENTS OF PAID LEAVE PROGRAMS

YES | NO | UNSURE OF POSITION

KEY ELEMENTS OF PAID FAMILY AND MEDICAL LEAVE PROGRAMS

	All FMLA purposes*	At least 12 weeks*	Adequate wage replacement*	Adequate new revenue*	Notes
DEMOCRATIC CANDIDATES					
Michael Bennet	YES	YES	YES	YES	Senate FAMILY Act cosponsor; includes paid family and medical leave at 70% wage replacement in his "rewarding hard work" platform
Joe Biden	UNSURE OF POSITION	UNSURE OF POSITION	UNSURE OF POSITION	UNSURE OF POSITION	Helped rally new yorkers for New York governor Andrew Cuomo's paid family leave law
Cory Booker	YES	YES	YES	YES	Senate FAMILY Act cosponsor; includes prioritization of paid family and medical leave in his plan for a white house "office of reproductive freedom," and in his health care plan
Steve Bullock	YES	YES	YES	YES	Endorses FAMILY Act
Pete Buttigieg	YES	YES	YES	YES	Endorses FAMILY Act; implemented six weeks of paid parental leave for south bend employees
Julián Castro	YES	YES	YES	YES	Endorses FAMILY Act with enhancements for more family members

Bill De Blasio					Implemented 6 weeks of paid parental leave for new york city employees; supported statewide paid family and medical leave law
John Delaney					House FAMILY Act cosponsor; first candidates—one of only two—to mention paid family leave at the first democratic presidential debate in 2019
Tulsi Gabbard					House FAMILY Act cosponsor
Kirsten Gillibrand					Longtime paid leave champion and author of the FAMILY Act; in the june 2019 democratic presidential debate, committed to pass family bill of rights, including the FAMILY Act, in her first hundred days in office
Mike Gravel					
Kamala Harris					Senate FAMILY Act cosponsor; includes FAMILY Act and additional funding to enhance the FAMILY Act in her equal pay plan
John Hickenlooper					Endorsed FAMILY Act
Jay Inslee					Campaign platform included FAMILY Act with enhancements; signed the comprehensive state paid family and medical leave law as governor of Washington state
Amy Klobuchar					Senate FAMILY Act cosponsor; includes paid leave for all workers and as incentive in the federal contracting process in her "first 100 days" plan
Wayne Messam					
Seth Moulton					House FAMILY Act cosponsor
Beto O’Rourke					FAMILY Act cosponsor when he served in the house; endorses paid leave for all Americans as part of his jobs and wages platform
Tim Ryan					House FAMILY Act cosponsor
Bernie Sanders					Senate FAMILY Act cosponsor; only candidate to mention paid leave in the third democratic debate
Joe Sestak					Leads with paid leave in his video about his campaign policy platform
Elizabeth Warren					Senate FAMILY Act cosponsor; includes paid leave for federal contractors in her plan to support women of color
Marianne Williamson					
Andrew Yang					
REPUBLICAN CANDIDATES					
Donald Trump					Has included parents-only plan with new revenue—but not enough to cover the new program—in his 2018–2020 budgets, but hasn't proposed legislation to enact that program
Bill Weld					
Mark Sanford					
Joe Walsh					

* The FAMILY Act meets each of these criteria, so any candidate who has cosponsored the FAMILY Act in any session of Congress is given credit as a “YES” here.
** Candidates in grey have dropped out

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