Ensuring Racial Equity in Paid Family & Medical Leave

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Workshop II: Ensuring Racial Equity in Paid Family & Medical Leave

• COVID-19 & PAID LEAVE: Racial & Ethnic Disparities
  Kristin Smith, Dartmouth College

• Cassandra Gomez, A Better Balance

• Carol Joyner, Labor Project for Working Families at Family Values @ Work

• Council Woman Elyssa Silverman

Moderator: Raven Dorsey, Paid Leave for All
COVID-19 & PAID LEAVE: Racial & Ethnic Disparities

KRISTIN SMITH, DARTMOUTH COLLEGE
ELENA PATEL, UNIVERSITY OF UTAH
TANYA BYKER, MIDDLEBURY COLLEGE

WITH FUNDING FROM WCEG
COVID-19: SPOTLIGHT ON INEQUALITY

Pandemic shone spotlight on existing racial, ethnic and gender inequalities

• Wave after wave of surging cases strain families
• Importance of access to paid leave through employer or state programs paramount
  • Those without access choose between providing care & earning a paycheck
  • Women responding by leaving labor force
• High unemployment, prolonged return to work
STEEP RISE IN UNEMPLOYMENT: MINORITY UNEMPLOYMENT SLOWER TO RECOVER

Source: Bureau of Labor Employment Statistics
FFCRA:
FAMILIES FIRST CORONAVIRUS RESPONSE ACT

FFCRA authorized Emergency Paid Sick Leave Act & temporarily expanded FMLA to cover care for minor child(ren)

- COVID-related caregiving reasons
- Unable to work due to public health emergency
- Full cost born by federal government
- 10 days paid sick (100% up to $511/day)
- 10 weeks paid family leave (66% up to $200/day)
MONTHLY REPORTED ABSENCE: CURRENT POPULATION SURVEY

1) Comparing monthly absences in 2017-2019 with 2020:
   • Unpaid, paid, and unemployed to establish baseline leave-taking pre-pandemic vs. pandemic

2) Then paid absence from March-June 2020 for eligible & ineligible workers vs. 2019 to assess FFCRA (Diff-in-diff modeling strategy)
   • Proxy for eligible if worked for an employer with fewer than 500 employees
PANDEMIC: DUAL PEAK IN ABSENCE FROM WORK
WHITE LEAVE TAKING:
MIRRORS LEAVE FOR ALL WORKERS
BLACK LEAVE TAKING:
HIGHER UNEMP & UNPAID, LOWER PAID LEAVE

[Graph showing the share in labor force for Black, Non-Hispanic workers pre-COVID and during COVID, with categories for paid absence, unpaid absence, and unemployed.]
HISPANIC LEAVE TAKING: HIGHER UNEMP & UNPAID, VERY LOW PAID LEAVE
OTHER RACE LEAVE TAKING:
HIGHER UNEMP & UNPAID, VERY LOW PAID LEAVE

[Graphs showing share in labor force for Other: Pre-COVID and Other: COVID, with categories Paid Absence, Unpaid Absence, and Unemployed.]
MONTHLY REPORTED ABSENCE:
CURRENT POPULATION SURVEY

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   • Eligible if worked for an employer with fewer than 500 employees
HIGH LEVEL FINDINGS: PAID LEAVE

• Difference-in-difference models
• Pandemic serves as an exogenous shock
• Paid absence from work last week
• Looking at differences in paid leave in large firms and small firms from 2019 to 2020 in March – June
• Age 21-59; interviewed in the ASEC and worked in the previous year (to get firm size)
HIGH LEVEL FINDINGS: PAID LEAVE

• Increase in paid leave in April by 64% (0.9 pctp)
• No difference in May
• Reduced paid leave in June 29% (0.4 pctp)
• Equal use of paid leave for small and large firms in April 2020
• But higher use of paid leave in June among small firms (those with access to emergency paid leave) by 71% (1 pctp)
HIGH LEVEL FINDINGS: PAID LEAVE

• Shift of typical seasonal paid leave from June to April 2020 to accommodate nationwide shut down if no access (large firm)

• Small firm workers were able to take paid leave in April and in June, suggesting April leave was taken under the temporary FFCRA

• Access to emergency paid leave effective at expanding access during early onset of COVID
HIGH LEVEL FINDINGS: PAID LEAVE

• Which workers driving this effect?
  • Men & parents of children under 12

• But no statistically significant effect for women, nor by race (at p-value <.05)—Why?
  • Dice and slice yields small samples
  • Lower access to paid leave through their employer
  • Child care crisis & school closings—exits
  • Paid leave requires employment
  • If COVID reduced employment—unemp & exits
HIGH LEVEL FINDINGS: PAID LEAVE

• We are seeing an effect of the FFCRA
  • Sizable effect; given the low rate of paid leave use

• Unclear whether addressed equity issues
  • Not universal access (large firms excluded)
  • Carve outs for Health Industries
  • Differential impacts of pandemic—unemployment spike among women of color, ineligible if not emp

• National COVID-19 preparedness plan
• Future steps to look at FFCRA & emp outcomes
FFCRA-RELATED CHANGES: MEN IN LARGE & SMALL FIRMS

More than 500 Employees: Men

Fewer than 500 Employees: Men
FFCRA-RELATED CHANGES:
MEN IN LARGE & SMALL FIRMS

Differences in Average Paid Leave by Firm Size: Men
COVID-19 & PAID LEAVE: Racial & Ethnic Disparities

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A Better Balance

WHO WE ARE A national legal and policy nonprofit organization with offices around the country. Our expert legal team has been working on paid family and medical leave and related issues throughout the U.S. at the state and federal level for over a decade, including working closely with state partners to draft, pass, and implement paid leave laws around the country and assisting workers with their rights under these laws through our free legal helpline.
States with Paid Family and Medical Leave Laws

- Rhode Island
- California
- New Jersey
- New York
- Washington, D.C.
- Washington State
- Massachusetts
- Connecticut
- Oregon
- Colorado
Key Policy Components for Racially Equitable Paid Leave

- Job protection
- Inclusive family definition
- Cover all workers, including public sector workers, seasonal workers, and domestic workers
- Progressive wage replacement rate
Key Implementation Components for Racially Equitable Paid Leave

- Robust enforcement and public education
- Language access
- Thorough reporting from the administering agency
CONTACT US

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www.abetterbalance.org
FAMILY VALUES @ WORK

Organizing for Equity:
Carol Joyner, Labor Project Director
carol@familyvaluesatwork.org
FV@W

- 27 State Coalitions/33 Organizations
- FV@W and the Labor Project
- FV@W Action
The Model

- Build power in partnership with multi-issue coalitions to realize racial, gender and economic justice for all.
- Win and implement robust policies: Paid Family and Medical Leave (PFML), Paid Sick and Safe Days (PSSD) and Childcare/Early Education
- Strengthen national partnerships and alliances to move federal care policies forward.
Paid Family Leave Wins

- 10 States including DC covering millions of Americans
- Expanded policies over time: CA, NJ, DC,
- Creating Model for Other States
- Laying foundation for Federal Policy: FAMILY Act, FFCRA, BBB
Racial Justice in PFML

REVERSE THE DEVALUATION OF CAREGIVING ROOTED IN SYSTEMIC RACIST PRACTICES

PRIORITIZE THE LEADERSHIP OF THOSE MOST IMPACTED BY THE LACK OF POLICY CHANGE

RECOGNIZE ALL FAMILIES AND FAMILY STRUCTURES
Reversing the Devaluation of Caregiving Rooted in Systemic Racism

EQUITY PROVISIONS:

- Universality
- Progressive Wage Replacement
- Recognizing All Families
- Job Protection
The Leadership of Those Most Impacted by the Lack of Policy Change

- Advocacy, Organizing, Civic Engagement and other Groups
- Voice of Workers Group
- Stories as Data
- Shifting the “Hill Practices”
- Emphasis on “Know Your Rights”
Recognizing All Families and Family Structures

- Family Justice Network
- This is My Family Campaign
- Peer Learning re: “Blood or Affinity” language
- State PFL Programs: CT, CO, NJ, OR and WA

Family Definition

“Any other individual related by blood or whose close association with the employee is the equivalent of a family relationship” Standard Language, ABB
FV@W

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