

Excerpt from the 2020 Prenatal-to-3 State Policy Roadmap

POLICY

PAID FAMILY LEAVE

A paid family leave program of a minimum of 6 weeks is an effective state POLICY to impact:



A state program providing a minimum of 6 weeks of paid leave following the birth, adoption, or the placement of a child into foster care:

- increases the likelihood and length of leave-taking for mothers and fathers;
- reduces racial disparities in leave-taking;
- boosts maternal labor force attachment;
- improves mothers' mental health;
- fosters better child-parent relationships; and
- supports children's health and development.

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states have adopted and fully implemented a paid family leave program of a minimum of 6 weeks following the birth, adoption, or the placement of a child into foster care.

A total of nine states have adopted paid family leave policies of any length.

WHAT IS PAID FAMILY LEAVE?

State paid family leave programs require employers to allow eligible parents time off from work to bond with a new child while receiving a portion of their wages. States allow parents to take between 4 and 12 weeks off of work, with pay varying based on a proportion of the employee's wages prior to taking leave. States also vary in eligibility requirements, job protection provisions, and funding mechanisms.

WHY IS PAID FAMILY LEAVE IMPORTANT?

Without Paid Family Leave, Most Parents Only Have Access to Unpaid Leave

In states without paid family leave, the only access to leave is through the federal Family and Medical Leave Act (FMLA), which allows qualifying workers to receive 12 weeks of unpaid, job-protected leave with continuous health coverage.^{1,2}

Many Parents Do Not Qualify for Unpaid Leave, and Some Who Qualify Choose Not to Take It

Only 60% of workers qualify for the FMLA,³ and the policy largely benefits higher-income and White workers.⁴ Because the FMLA provides only unpaid leave to eligible workers, many parents with low incomes may not use the time off or may shorten the duration of leave to avoid losing wages.

Paid Family Leave Keeps Parents Working and Supports the Health and Wellbeing of Children and Parents

By providing parents with the time and financial security to stay home to bond with a new child, state paid family leave programs can improve the economic security of the family and keep parents engaged in the workforce.^{5,6} Paid family leave also supports child and parent health and wellbeing. Paid family leave programs help new parents have more time to bond with their babies, develop positive caregiving skills, and build the foundation for healthy attachment.⁷ Parents also may be better able to seek timely and preventative health care for themselves and their children.^{8,9}

WHAT IMPACT DOES PAID FAMILY LEAVE HAVE?

Paid family leave policies providing a minimum of 6 weeks of paid leave to new parents increase the length and likelihood of leave-taking, reduce disparities in leave-taking, boost mothers' labor force participation, improve mothers' mental health, and foster better child-parent relationships and child health.

Paid Family Leave Increases Leave-Taking and Benefits Families of Color the Most

In states with paid family leave, parents of all races and ethnicities are more likely to take leave compared to parents in states without paid family leave, but the greatest impacts are for Black mothers.



Search the new Prenatal-to-3 Policy Clearinghouse for an ongoing inventory of rigorous evidence reviews at pn3policy.org/clearinghouse.

Strong Causal Studies Show That Paid Family Leave Impacts Six Prenatal-to-3 Policy Goals

Examples of Impact:

Access to Needed Services

- Access to paid family leave increased leave-taking by 5 weeks for mothers and 2 to 3 days for fathers (B)
- Among Black mothers, access to paid family leave led to a 10.6 percentage point increase in leave-taking; among White mothers, a 4 percentage point increase (N)

Parents' Ability to Work

- Access to paid family leave led to a 5 to 8 percentage point increase in maternal labor force participation in the months surrounding birth (D)
- Access to paid family leave led to 7.1 more weeks worked by mothers in the second year of a child's life (B)
- Access to paid family leave led to a 13% increase in the likelihood of returning to prebirth employer in the year following birth (B)
- Access to paid family leave led to a 12.9 to 18.3 percentage point increase in the probability of mothers working 1 year following birth (B)

Sufficient Household Resources

- Access to paid family leave led to a \$3,400 increase in household income (M)
- Access to paid family leave led to a 2 percentage point reduction in the poverty rate, with the greatest effect for less-educated, low-income, single mothers (M)

Parental Health and Emotional Wellbeing

- Access to paid family leave led to a 7 to 17 percentage point increase in mothers reporting very good or excellent mental health and a 3 to 5 percentage point increase in mothers reporting coping well with day-to-day demands of parenting (C)
- Access to paid family leave led to an 8.2 percentage point decline in the risk of being overweight and a 12 percentage point decline in any alcohol consumption (P)

Nurturing and Responsive Child-Parent Relationships

- Access to paid family leave led to a 10% to 20% increase in parents who reported reading to infants 4+ days per week, depending on the group (C)
- Mothers who took paid leave reported going on outings with children 9.8 more times per month, and having breakfast with children 3.6 more times per week (A)



- Access to paid family leave led to a 1.3 percentage point increase in exclusive breastfeeding at age 6 months (G)
- Among Black mothers, access to paid family leave led to a 7.5 percentage point increase in initiating breastfeeding (K)
- Among low-income families, access to paid family leave led to a 5 to 7 percentage point decline in the likelihood of infants receiving late vaccinations (E)
- Access to paid family leave led to 2.8 fewer cases of pediatric abusive head trauma per 100,000 children under age 2, and 5.1 fewer cases per 100,000 children under age 1 (I)

Note. Results are based on comprehensive reviews of the evidence. The letters in parentheses in the table above correspond to a strong causal study in the comprehensive evidence review of paid family leave. Each strong causal study reviewed has been assigned a letter. A complete list of causal studies can be found in the references section at the end of this document. Comprehensive evidence reviews of each policy and strategy, as well as more details about our standards of evidence and review method, can be found at pn3policy.org.

WHAT DO WE STILL NEED TO LEARN ABOUT PAID FAMILY LEAVE?

More Research Is Necessary to Understand the Impacts of Paid Family Leave on Fathers

The vast majority of the research to date examines how paid family leave impacts mothers, despite the fact that research from other countries has shown positive outcomes for the entire family if fathers take paternity leave.¹⁰ Noncustodial fathers are completely absent from the research.

Evaluating the Implementation of Paid Family Leave Across State Contexts Will Be Critical

Most of the research on paid family leave comes from two states (New Jersey and California), due to the recent enactment and implementation of statewide leave laws. More time and more studies are needed to fully assess the impact of paid family leave as additional states begin to implement their laws and others expand the generosity of their current laws.

Additional Studies Should Identify How Best to Implement Paid Family Leave

Fathers and lower-income families typically have low leave take-up rates.¹¹ States would benefit from knowing how to increase take-up rates among specific populations. Conclusions about fathers and lower-income families cannot be made until they are adequately represented in the research. As states implement paid family leave policies, it will be helpful to track and evaluate who is taking leave, in addition to other data points that will further an understanding of the optimal length of paid family leave, the ideal percentage of pay, and the best funding source.

Understanding How Other Policies Interact With Paid Family Leave Will Help States

Because parents with access to paid leave remain attached to the workforce to a greater degree, it is particularly imperative that families have access to affordable and high-quality child care. More research will be necessary to understand how paid family leave interacts with child care policies and other policies relevant to the prenatal-to-3 population.

Tracking and Evaluating How States Have Responded to COVID-19 Will Be Essential

As part of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the Emergency Family and Medical Leave Expansion Act provides up to 12 weeks of paid public health emergency leave from March 18, 2020, until December 21, 2020.¹² Leave can only be used for employees who are unable to work (or telework) because they need to care for a child under 18 whose school or place of care is closed or whose child care provider is unavailable because of the public health emergency. The CARES Act amends a previous emergency paid family leave policy under the Families First Coronavirus Response Act (FFCRA), which initially provided employees up to 10 weeks of paid family and medical leave. The lasting effects on public health and the economy of this emergency paid family leave policy remain to be determined.

HOW DO STATES VARY BASED ON THEIR ADOPTION AND IMPLEMENTATION OF PAID FAMILY LEAVE?

Of the nine states that have enacted paid family leave, only five states (California, the District of Columbia, New Jersey, New York, and Washington) have fully implemented a state paid family leave program of at least 6 weeks and have begun paying benefits to families.

The Majority of States Have Room for Progress in Paid Family Leave Implementation

Forty-two states have neither implemented nor passed a statewide paid family leave program, and more than half of those states lack momentum to pass such legislation. However, among the 42 states without paid family leave, some are making progress: Twelve states have implemented paid family leave for specific workers.

How Do We Determine States' Progress Toward Implementing Effective Policies and Strategies?

Policy adoption does not typically happen quickly. States may introduce legislation several times before adopting a policy and take even more time to fully implement it. States in which there has been considerable legislative initiative have made greater progress toward and are likely closer to adopting and implementing a policy compared to states in which there has been little to no legislative initiative. Once a policy is adopted, some states make the benefits more generous over time, whereas other states may rescind benefits in bills during subsequent legislative sessions. This variation in the legislative process provides greater insights to state policy leaders on where their state stands relative to others.

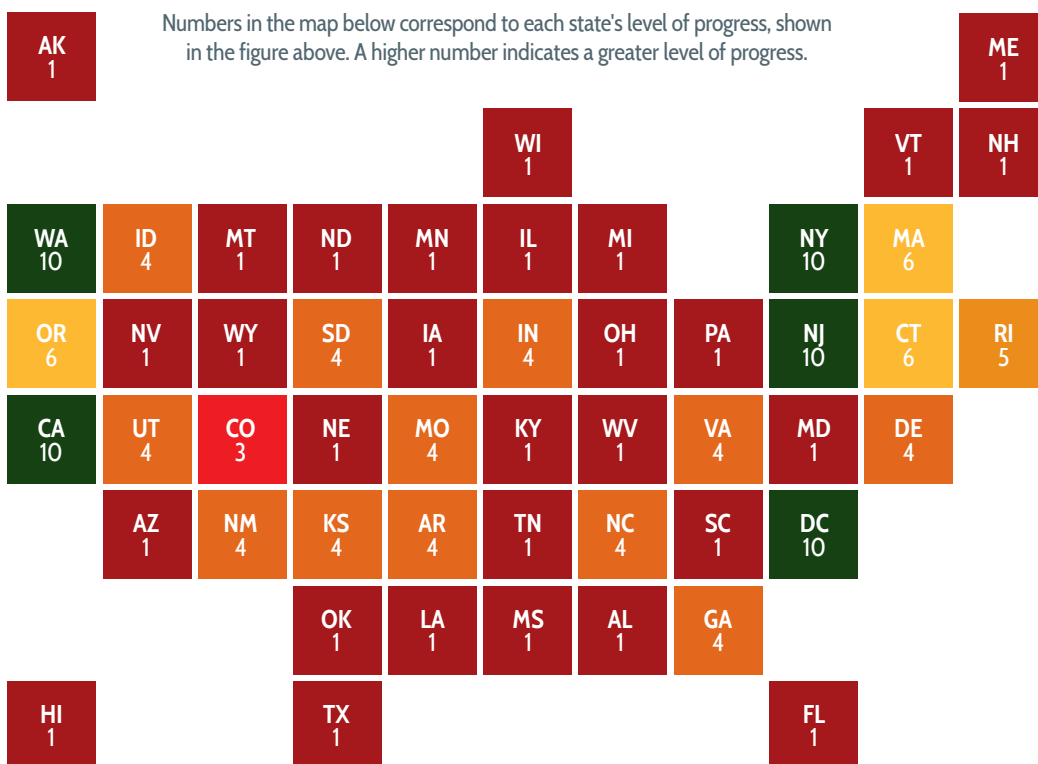
Relying on comprehensive research of state statutes, laws, and filed legislation since 2015, we determined:

- whether (yes or no) each state had adopted and fully implemented a paid family leave program of at least 6 weeks by October 1, 2020, and
- what progress each state had made by June 30, 2020, toward adopting and fully implementing a paid family leave program of at least 6 weeks.

The following figure shows the progress states have made to date toward adopting and fully implementing a paid family leave program of a minimum of 6 weeks following the birth, adoption, or the placement of a child into foster care. For additional information, please refer to the Methods and Sources section of pn3policy.org.

Have States Adopted and Fully Implemented a Paid Family Leave Program of a Minimum of 6 Weeks?

Progress		Detail	# of States
Yes	10	Yes, and the state has adopted and fully implemented a paid family leave program that provides more than 6 weeks of benefits.	5
	9		
	8	Yes, the state has fully adopted and implemented a paid family leave program that provides a maximum of 6 weeks of benefits.	0
	7		
Some Progress	6	No, but the state has enacted a paid family leave law that will provide at least 6 weeks of benefits once fully implemented.	3
	5	No, but the state has a paid family leave program that provides fewer than 6 weeks of benefits.	1
	4	No, but the state has a paid family leave program for eligible state employees.	12
No	3	No, but there has been considerable legislative initiative to adopt and implement a paid family leave program.	1
	2		
	1	No, and there has been little legislative initiative to adopt and implement a paid family leave program.	29
Regressive	0		



Among States With Paid Family Leave Laws, Benefits Vary

States vary in the number of weeks offered, the portion of wages paid, eligibility requirements, job protection provisions, and funding mechanisms. (See the table below).

States Differ in the Number of Weeks Paid

States offer between 4 and 12 weeks of paid time off.

Wage Reimbursement Looks Different in Each State

Three states cap benefits at a fixed amount (California, the District of Columbia, and Washington), and six states cap benefits at a percentage of the respective states' average weekly wage or will do so when legislation is fully implemented.

The table below shows how states with paid family leave laws differ in the maximum number of weeks paid, the value of the leave benefit, and when benefits take effect. The value of the benefit varies by state. For example, in Massachusetts, 64% of the average weekly 2020 wage amounts to \$916, whereas in Oregon, 120% of the average weekly 2020 wage amounts to \$1,312.

State Variation in Paid Family Leave: Number of Weeks, Benefit Value, and Benefit Timeline

State With a Paid Family Leave Program	Maximum Number of Weeks of Paid Family Leave Benefit	Maximum Paid Family Leave Benefit Value	Date When Paid Family Leave Benefit Takes Effect
California	8	\$1,300	Already in effect.
Connecticut	12	60 times the minimum fair wage	The state's paid family leave program was passed in 2019. Premiums will be implemented in 2021, and benefits will become effective in 2022.
District of Columbia	8	\$1,000	Already in effect.
Massachusetts	12	64% of the state average weekly wage	The state's paid family leave program was enacted in 2018, premiums became effective in July 2019, and benefits will become effective in January 2021. A bill filed in 2020, SB 1045, aims to provide paid leave benefits to municipal employees. The bill was pending in committee as of June 30, 2020.
New Jersey	12	70% of the state average weekly wage	Already in effect.
New York	10	60% of the state average weekly wage	Already in effect.
Oregon	12	120% of the state average weekly wage	The state enacted paid family leave legislation in 2019 through HB 2005. Premiums will be effective in January 2022, and benefits will be effective in January 2023.
Rhode Island	4	85% of the state average weekly wage for the preceding calendar year	Already in effect.
Washington	12	\$1,000	Already in effect.

States highlighted in blue have enacted and implemented a paid family leave policy of a minimum of 6 weeks.

Source: State statutes and legislation on paid family leave, as of October 1, 2020. For additional information, please refer to the Methods and Sources section of pn3policy.org.

Only Employees in Certain Job Sectors May Be Eligible

- Eight states (California, Connecticut, the District of Columbia, Massachusetts, New Jersey, Oregon, Rhode Island, and Washington) automatically cover or will cover all private sector employees when the legislation is fully implemented, but New York only covers most private sector employees.
- Four states automatically cover or will cover state employees when legislation is fully implemented (Massachusetts, New Jersey, Oregon, and Washington). Three states automatically cover or will cover local government employees (New Jersey, Oregon, and Washington), and one state (Massachusetts) will allow for local government employers to opt in to the program.
- Two states allow both state and local/municipal employers to opt in to their paid family leave programs (New York and Rhode Island).
- Two states (California and Connecticut) allow or will allow only some public sector employees to be automatically covered.
- Five states allow or will allow self-employed individuals to opt in to their paid family leave programs (the District of Columbia, Massachusetts, New York, Oregon, and Washington).

Benefits Are Similar for Birth and Non-Birth Parents, As Well As Adoptive and Foster Parents

All nine states provide or will provide benefits to same-sex parents when the legislation is fully implemented, but two states (New York and Oregon) explicitly prohibit discrimination on the basis of sexual orientation. Also, birth, adoptive, and foster parents have or will have the same benefits and eligibility requirements in all nine states. All nine states provide or will provide eligibility to both birth and non-birth parents. Two states (New York and Oregon) specify that gender or sex, respectively, may have no impact on eligibility. One state (Connecticut) includes specific provisions for spouses employed by the same employer, which will allow each spouse to be eligible for up to 12 weeks of compensation within any 12-month period.

Job Protection Is Common in State Paid Family Leave Policies

All nine states offer or will offer job protection through the FMLA. Three states (Massachusetts, New Jersey, and the District of Columbia) explicitly state that employers cannot retaliate against employees who take leave, and four states (New York, Oregon, Rhode Island, and Washington) have specific mention of other types of protections.

Varied Approaches Can Be Used to Fund State Paid Family Leave

Seven states (California, Connecticut, Massachusetts, New Jersey, New York, Rhode Island, and Washington) fund or will fund paid family leave through employee payroll taxes. Oregon will fund its program through both employee and employer contributions, and the District of Columbia funds its program through employer contributions. Paid family leave that is funded through employee payroll taxes alleviates some of the costs employers could incur to implement the policy.¹³



Explore your state's interactive data at pn3policy.org/interactive.

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