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May 17, 2021

Committee on Health, Education, Labor and Pensions
U.S. Senate
Washington, DC 20510

Dear Senator:

On behalf of our 3 million members, who teach and nurture students in communities across America, we thank the Committee for holding this hearing on paid leave for working families, and we appreciate the opportunity to submit these comments for the record.

The COVID-19 pandemic exposed many of our nation's inequities, and one of these was working families' lack of access to paid leave. Through COVID-relief legislation, workers who would otherwise not have had paid medical and family leave were able to access it to care for loved ones or stay home if they were ill. We must build on this significant achievement, because the need is clear: According to the [National Partnership for Women and Families](#), only 19 percent of workers in the United States have access to paid family leave. Fewer than 60 percent of workers are eligible for unpaid leave through the federal Family and Medical Leave Act—and in many cases, those who are eligible for it cannot afford to take it.

Paid family and medical leave is essential not just for individuals and their families, but to help keep workplaces healthy by making it possible for workers to stay home when they are sick. These policies reduce hardships for families and small businesses, and promote economic growth because a healthier workforce is a more productive workforce.

The NEA supports such paid family and medical leave provisions as:

- Comprehensive coverage for a range of serious family and medical needs, including caring for a loved one with a serious health issue;
- Making paid leave equally available to people of all genders—for instance, providing the same amount of leave to fathers taking care of a new child as to mothers;
- Access to paid leave for up to 12 weeks in a 12-month period of time;
- Replacement of 80 percent to 100 percent of low-wage workers' wages, because even replacement of two-thirds of wages (the highest wage replacement available in a state program, according to the National Partnership) may not be enough to enable low-income workers to afford to take leave;
- Expanding access to paid family and medical leave to people with extended family members who need care; and
- Protecting workers from being penalized by employers if they express an intent to take leave, or are taking leave.

More than 25 years since the Family and Medical Leave Act's passage and despite growing consensus on the need for *paid* leave, FMLA still fails to cover approximately 40 percent of workers, including many of the education support professionals (ESPs) in K-12 schools and higher education. These include clerical support professionals, maintenance and janitorial staff, food service employees, and transportation services workers. Because of their schedules and the limited school year, many fail to meet the 1,250-hour threshold needed to qualify for FMLA benefits. This gap in federal law means that a significant number of those we entrust to

help feed, transport or teach our students are unable to access basic leave benefits without risk of losing their job. NEA members support the ESP Family and Medical Leave Act, introduced in the 116th Congress, and other measures that would allow these employees—and other workers in different sectors, but similar situations—to access the paid and unpaid leave that millions of working people already have.

Again, we thank you for the opportunity to submit these comments.

Sincerely,

A handwritten signature in black ink that reads "Marc Egan". The signature is written in a cursive style with a large, stylized 'M' and 'E'.

Marc Egan
Director of Government Relations
National Education Association