# Family-Friendly Workplace Policies:

Concrete Supports that Improve Child Health and Decrease Infant Mortality

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Mamás Con Poder

## Range of workplace policies that help families thrive:

- Reasonable pregnancy accommodations in the workplace
- Sick days, kin care, and safe days
- Paid family and medical leave

### **North Carolina's Workforce**

- 65 percent of NC children live in households where all available parents are currently working [1]
- 65.1% of NC mothers are breadwinners or co-breadwinners, with 43.9% being their family's primary provider [2]
- 2/3 of mothers with children under five are in the labor force, nearly 3/4 of those with children under 18 [3]
- 62 percent of pregnant and new moms in NC are in the labor force and each year
   1.5% of the NC labor force gives birth [4]

### North Carolina's Workforce

- 2.4 million women age 16 or over are in NC's labor force, making up 48% of the total NC labor pool [5]
- Women are more likely to become mothers than a decade ago, with 86% becoming parents by the end of their childbearing years [6]
- 75% of women will be pregnant and employed simultaneously at some point in their lives [7]

Workplace policies that reflect both of these realities are a must for child well-being, family economic security, and labor force participation.

## Why do these matter?

- Brain Science: early experiences have long term impacts
- Key to fostering protective factors
   (concrete supports, knowledge of parenting & child development, strengthening resilience, social connections, social and emotional competence)



 Research proven to improve child well-being and outcomes

## **Impact on Business**

Businesses are already impacted by families struggling to balance work and family.

- In NC, women's workforce participation declined from 2002 to 2016, from 59.9 percent to 57.3 percent. [8]
- 28 percent of women and 15 percent of men work part time in NC, with 26 percent of PT workers citing family obligations and child care problems as the reason they don't work FT. [9]

## **Impact on Business**

#### According to research from Family Forward NC [10]:

- 75 percent of mothers and 50 percent of fathers have passed up work opportunities, switched jobs, or quit to care for their children.
- Nearly 40 percent of parents say they've left a job because it lacked flexibility.
- In a nationwide survey of more than 3,400 nonprofit leaders, nearly 60 percent reported difficulty hiring and retaining staff.
- Half of North Carolina employers had difficulty hiring in 2018, up 10 percent from 2016, and a low unemployment rate and an ongoing skills gap means employers must work harder to attract and retain top talent.
- These trends can also negatively affect career attainment of parents with young children, especially mothers.

## **Impact on Business**

According to research from Family Forward NC, a project of the NC Early Childhood Foundation [11]:

- Employees across the state think employers who are family-friendly have a
  competitive advantage, according to a study of 300 NC employers and 300
  employees
- 73 percent of NC employees say they would be more committed to their employers if they had more family-friendly practices
- 94 percent say family-friendly policies help businesses attract and retain talent
- Employers agree—71 percent think family-friendly policies have a **positive** impact on their organization and those who've incorporated them see the positive benefits firsthand.

#### Why is it needed?

- Federal government provides very basic protections for pregnant and nursing mothers in the workplace
- Addressed in the Pregnancy Discrimination Act, passed in 1978 that guarantees the right not to be treated adversely due to pregnancy, childbirth, or related medical conditions and to be treated at least as well as other employees



- Americans with Disabilities Act requires employers to make reasonable accommodations for employees with disabilities
- Neither of these guarantees accommodations in the workplace and court interpretations have confused both employers and employees on what's required

#### Why does it matter?

- In NC, 22% of infant and fetal mortalities are attributable to "maternal complications", i.e. chronic and acute health conditions of the mother that could be reasonably accommodated by employers [12]
- Physically demanding stressful or exhausting work increases risk for pre-term and low birth weight.
- 13% of NC babies are born premature and 9.2% at low birth weight [13]
- American College of Obstetrics and Gynecology study found accommodations result in improved health safety, reductions in pre-term labor, miscarriages, fetal death [14]
- 2008 study found being denied even minor accommodations may have increased risk [15]
- Benefits of breastfeeding are well-documented but moms need support to continue [16]
- Women of color more likely to hold ow paying jobs that are physically taxing or expose to environmental standards and least likely to receive accommodations [17]

"Accommodating pregnant workers, upon their request, is critical for reducing poor health outcomes, including:

- Miscarriage
- Low birth weight
- Preterm births
- Birth defects
- Dehydration
- Insufficient amniotic fluid and related birth outcomes
- Unnecessary pain resulting from excessive standing,
- bending, or lifting
- Urinary tract infections and related risk of preeclampsia" [18]



Pregnant Workers Health Impact Assessment

2019

The Kentacky Pregnant Workers' Rights Art (KYPWRA) (S181) works to learly that Kentacky law protects women who need reasonable modifications in the workplace due to their pregnancy. S818 ensures all pregnant workers have equal access to sale and healthy working conditions. The Pregnant Workers Health impact Assessment works to inform decision making around the policy as a measure to improve the health outcomes of Kentucky's pregnant workers and their developing children.





#### **Pregnant Workers Health Impact Assessment**

- Level of education can limit the type of work available, which ultimately impacts health.
- Those with less than a full college degree are more likely to work in positions that require more physical labor, such as manufacturing jobs.
- Physically-demanding work has been associated with an increased risk for preterm birth, low birth weight, and other complications. [19]

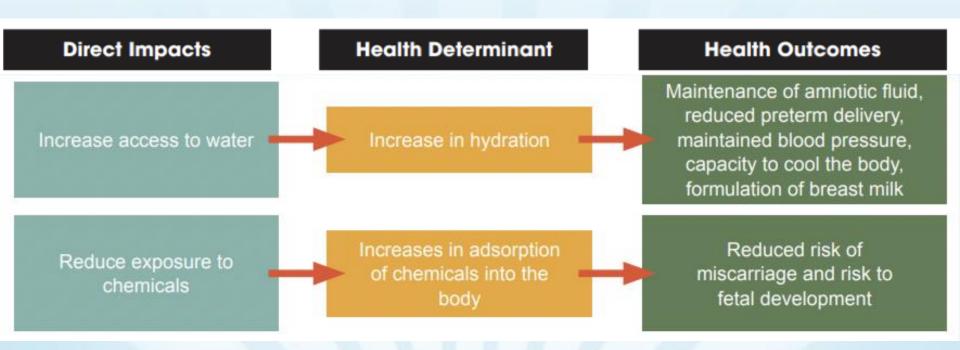
#### **Examples of workplace adjustments:**

- Change in workstation and seating equipment
- More frequent and longer breaks
- Adjustment of uniforms or dress codes
- Assistance with manual labor, such as help with heavy lifting
- Modified work assignments
- Access to food and drink and permitting meals
- and beverages at work stations
- Access to appropriate, non-bathroom lactation accommodations for rest or to express breast milk. [20]





Source: Louisville Department of Public Health and Wellness, Pregnant Workers Health Impact Assessment, 2019



Source: Louisville Department of Public Health and Wellness, Pregnant



Source: Louisville Department of Public Health and Wellness, Pregnant

#### **Employee protections under the proposal:**

- An employer may not retaliate against an employee who seeks an adjustment
- An employee who is discriminated against may file a court action within statute of limitations

#### **Employer protections under the proposal:**

- The statute would not be a mandate. It simply sets the stage for mediation.
- Employers with fewer than 15 employees are exempt.
- The employer may request confirmation of the need from a medical provider.
- An employer may be exempt if the requested adjustment would be an "undue hardship" requiring significant difficulty or expense. [21]

#### Results of states' experiences with workplace adjustments:

- Improved recruitment and retention
- Increased productivity
- Reduced absenteeism
- Reduced workers' compensation and health insurance costs
- Reduced legal complaints [22]

#### **Growing support:**

- 27 states and 5 localities provide explicit protections for pregnant workers in need of accommodations to stay healthy and employed
- Southern states including: South Carolina (unanimously), Kentucky, Louisiana, and WV have all passed these laws recently.
- Typically pass with bipartisan support, backed by coalitions that include pro-life groups, pro-choice groups, and business. [23]

#### **Growing support:**

- In NC, S558, the Enact NC Healthy Pregnancy Act, was filed for the first time
   [24]
- In December 2018, Gov. Cooper extended pregnancy accommodations to all state employees through Executive Order No. 82: Promoting Health and Wellness by Clarifying Protections Afforded to Pregnant State Employees [25]
- Federally, the Pregnant Worker Fairness Act has bipartisan support and has been endorsed by the US Chamber of Commerce [26]
- In NC, pregnant worker accommodations are included in the perinatal health strategic plan and Think Babies agenda [27]
- A March 2019 poll of likely NC voters commissioned by A Better Balance found that 83% strongly favored and 10% favored pregnancy accommodations

#### **Request to the Child Fatality Task Force:**

Proposing the Task Force endorse legislation that would guarantee all NC workers the right to reasonable pregnancy and lactation accommodations.
 One such bill, S557, the Enact NC Healthy Pregnancy Act, was filed in the 2019 session.

In NC, 1.6 million workers—38 percent of our state's workforce have 0 paid sick days. [28]



For a typical family without paid sick days, on average, 3.3 days of pay lost due to illness are equivalent to the family's entire monthly health care budget, and 2.7 days are equivalent to its entire monthly grocery budget. [29]



- Nationwide, more than 34 million workers can't earn paid sick days [30]
- Millions more can't earn paid sick time they can use to care for a sick child or family member or take them to access preventative care
- Nearly ¼ of US adults (23 percent) have lost a job or been threatened with job loss for taking time off due to illness or to care for a sick child or relative [31]
- One-quarter to one-half of domestic violence survivors report losing a job in part due to the violence [32]

The problems are even more profound for low wage workers:

- Nationally, only 57 percent of the lowest paid private sector employees had the ability to earn paid sick days.[33]
- In NC, **68 percent of those in the lowest earnings bracket did not have access** to any paid sick days.[34]
- Workers in frequently low-paying jobs, such as food prep, personal home care, and child care are among the least likely to have access and most likely to be unable to afford an unpaid day away from work. [35]
- Black and Latino workers are disproportionately less likely to have access to earn paid sick days, further increasing racial health disparities.

- Sick Days-Time earned off from work, whether paid or job-protected unpaid, for an employee to use to recover from a short-term illness or injury. Sometimes can be expanded to include sickness / well-being needs of employees' family, to access preventative care, or for other well-being related needs
- Kin Care-Explicitly says that whatever kind of sick leave an employee earns it can be used to care for a family member. May also expand to include accessing preventative care or other needs
- Safe Days-Explicitly says that whatever kind of sick leave an employee earns it can be used to deal with the physical, emotional, or legal impacts of domestic violence, sexual assault, or stalking or to seek safety

#### Why does it matter?

- Paid sick leave is a primary factor in a parent's decision to stay home when their child is sick [36]
- Lack of access to affordable child care for sick children means without access to paid sick
  days or sick days that can be used for family members, sick children are often left home
  alone sick or sent to school or child care sick [37]
- Allowing parents to stay home prevents spread of illness [38]
- Allows parents to address children's health needs such as managing health complications or disabilities, well-child visits, vaccinations [39]
- 9,490 NC children affected by domestic violence and 3,040 by sexual assault each year.
   Parents need time off to address the physical, mental, and legal impacts of these incidents
   [40]

#### **Request to the Task Force:**

- Proposing the Task Force endorse passage of a kin care and safe days bill that
  would guarantee all NC workers the right to use their sick days (whether paid or
  job-protected unpaid) to care for a sick loved one, seek preventative care, or
  deal with the physical, mental, or legal impacts of domestic violence, sexual
  assault, or stalking.
- Other states, including Georgia, have passed some variation of these. [41]
- On October 23, 2019, Gov. Cooper signed an **Executive Directive** allowing sick leave to be used as safe days for state employees under his purview [42]

## **Paid Family Leave - State of Play**

Only 17% of American workers - and 5% of low wage workers - have access to paid leave. [43] In NC, only 12% have access to paid leave. [44]



Fewer than 40% of employees have access to personal medical leave through their employer. [45]

## **Disparities in Access**

Table 1. Working Adults Who Are Either Ineligible for or Cannot Afford to Take Unpaid FMLA Leave, by Race/Ethnicity

Race/Ethnicity	White, non-Hispanic	Hispanic	Black	Asian
<b>Cannot Take Leave</b>	59.8%	72.5%	62.2%	58.1%

Source: Data Diversity Kids. (2015). Working Adults Who Are Eligible For and Can Afford FMLA Unpaid Leave (Share) by Race/Ethnicity.

Table 2. Percent of Adults Who Reported Needing Family or Medical Leave in the Last Two Years but Couldn't Take It

Race/Ethnicity	White, non-Hispanic	Hispanic	Black
Cannot Take Leave	13%	23%	26%

Source: Pew Research Center. (2017). Americans Widely Support Paid Family and Medical Leave, but Differ Over Specific Policies.

Only 25% of Latino workers and 43% of Black workers reported having *any* access to paid or partially paid leave compared with 50% of white workers. This has serious implications for racial health disparities, particularly as they relate to infant mortality, premature birth, and low birth weight. [46]

## **Access to Paid Family Leave:**



- Provides critical time for bonding; building nurturing,
   responsive relationships; and learning how to parent
- Decreases infant mortality
- Decreases child abuse
- Decreases maternal postpartum depression
- Increases the ability to secure safe, high-quality child
- care
- Increases the likelihood of well-child checks and vaccinations
- Increases breastfeeding rates
- Allows for early detection of developmental delays
- Increases positive father involvement
- Good for businesses and the overall economy [47]

## Paid Family Leave - What's at Stake

- 1 in 4 mothers go back to work within 2 weeks of birth unable to establish breastfeeding, continue bonding, and heal from birth. [48]
- Most licensed child cares cannot take babies
  younger than 6 weeks and NC's shortage of licensed
  child care options and long child care subsidy waiting
  lists can put infants in very vulnerable situations in
  their first 6 weeks.
- Lack of paid family leave further widens the pay gap and can drive families into poverty, creating stress.
   Paid family leave provides economic security.



## How does paid leave decrease child maltreatment?

#### Social and Emotional Competence

Children's early experiences of being nurtured and developing a positive relationship with caring adult affects all aspects of behavior and development.

Knowledge of Parenting & Child Development

Children thrive when parents provide not only affection, but also respectful communication and listening, consistent rules and expectations, and safe opportunities that promote independence.

#### Social Connections

Parents with a social network of emotionally supportive friends, family, and neighbors often find that it is easier to care for their children and themselves.

Protective Resilience

Parents who can cope with the stresses of everyday life, as well an occasional crisis, have resilience; they have the flexibility and inner strength necessary to bounce back when things are not going well.

Families who can meet their own basic needs for food, clothing, housing, and transportation—and who know how to access essential services such as childcare, health care, and mental health services to address family-specific needs—are better able to ensure the

safety and well-being of their children.

Factors

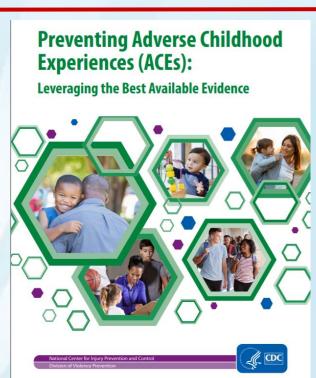
- Increases protective factors by providing concrete support
- Prevents Adverse Childhood Experiences by strengthening economic support for family
- Increases economic stability & family income
- Increases maternal employment
- Improves caregivers' ability to meet children's basic needs.

## How does paid leave decrease child maltreatment?

Centers for Disease Control recommends paid leave as a strategy for reducing child maltreatment [49]

2015 Study in the State of California found:

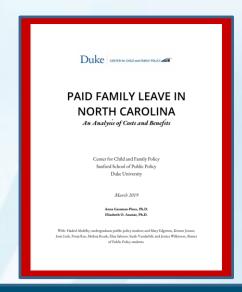
 Significant decrease in abusive head trauma admissions for children under age 2 when their parents had paid family leave, compared to seven states that did not have paid family leave policies
 [50]



### **Duke Center for Child and Family Policy Study**

Projected that a program offering twelve weeks leave with 80% wage replacement would [51]:

- save 26 infant lives in North Carolina each year a 3
  percent drop in our state's currently abysmal infant
  mortality rate!
- keep 205 individuals out of nursing home care each year, cutting costs by between \$16.7 million and \$18.6 million
- reduce the number of individuals needing public assistance through the Temporary Assistance for Needy Families (TANF) program by 956, saving \$451,232 to \$780,096 in North Carolina's TANF costs annually;
- provide **meaningful support for families** addressing a loved one's **opioid or other substance abuse** addiction.





## Family and Medical Leave Insurance

- Four states have implemented paid FMLI
  programs (California, New Jersey, New York and
  Rhode Island)
- 5 more FMLI programs coming online in 2019,
   2020, 2021, 2022 (Washington state,
   Massachusetts, Connecticut, DC, Oregon) [52]





The ability to take **PAID leave is key.** Nearly half of those who were FMLA-eligible and needed leave but didn't take it cited lack of pay as the reason. [53]

## Federal movement on paid leave

- FMLA passed in 1993
- Renewed bipartisan recognition that something must be done
- Federal Employee Paid Leave (FEPLA) providing parental leave for 2 million federal employees was approved in late 2019 as part of the National Defense Authorization Act
- Federal proposals include a paid family and medical leave insurance program
  like those implemented in several states, having parents borrow against their
  Social Security or Child Tax Credit, or involving unemployment insurance as a
  way to administer paid leave for parents only

# **Growing Support in North Carolina**

Included in the recommendations or agendas of:

- Think Babies Coalition
- Perinatal Health Strategic Plan
- Essentials For Childhood
- Early Childhood Action Plan
- NC Families Care Coalition
- NC Early Education Coalition

- Pathways to Grade-Level Reading
- Family Forward NC
- NC Council for Women

## **Recent NC Policy Changes and Proposals**

- Executive Order 95-providing paid parental leave to state employees under Gov. Cooper's purview, now also voluntarily covering Office of Administrative Hearings, Department of Agriculture and Consumer Services, Office of the Commissioner of Banks, Office of the Secretary of State, Office of the State Auditor, Office of the State Controller, Department of Public Instruction, Department of Justice and The Administrative Office of the Courts for a total of 59,000 employees [54]
- Led to a bipartisan ripple effect with the Republican governors in Tennessee providing 12 weeks paid family and medical leave to state employees, the Republican governor in Idaho providing 8 weeks paid parental leave, and the Democratic governor in Michigan providing 12 weeks paid parental leave [55]

## **Recent NC Policy Changes and Proposals**

- UNC Board of Governors Decision to provide paid parental leave to 33,000 employees [56]
- 19 local governments have approved paid parental leave policies for local government employees ranging from Charlotte and New Hanover County to Rolesville and Person County. Mecklenburg County enacted paid family leave, and Wake County and Wake Forest provide both parental and elder leave.
- Introduction of NC Families First Act (H696), first comprehensive FMLI bill introduced in North Carolina [57]

## **Impact on Business**

Research on companies and states who've implemented paid leave family and medical leave programs bears this out. Paid leave policies:

- Improve worker retention, which saves employers money through reduced turnover costs
- Increase worker productivity
- Improve employee loyalty and morale
- Allow smaller businesses to compete with larger business for talent
- Heightens American competitiveness in the global economy
- Can inspire entrepreneurship when small business start ups can opt in
- Put dollars back into the local economy.
- Reduces likelihood an employee will leave a job and require public benefits [58]

## **Impact on Business**

Research on businesses in states who have implemented these policies found:

- In RI, NY, and NJ, 61%, 64%, and 66% (respectively) of employers are supportive or very supportive of state paid family and medical leave laws and this includes small employers.
- NY attitudes did not change significantly after law came into effect 63% were supportive or very supportive in 2018 as compared to 66% in 2016 and 2017. [59]
- In California, approximately 90 percent of firms surveyed said the law had either a positive effect or no effect on productivity, profit, morale, and costs.
   [60]

## **Paid Family and Medical Leave**

#### **Request to the Task Force:**

 Proposing the Task Force endorse passage of a bill creating a paid family and medical leave insurance program

# Thank You!

## **Questions?**

#### **Contact:**

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