

# Work-Life Policies for the Twenty-First Century Economy

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## ABOUT



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**The Mobility Agenda** is dedicated to advancing a long-term vision for a fairer, more inclusive world. Our current work focuses on identifying and promoting new ideas for better jobs while stimulating and shaping a dialogue to build public support for strengthening the labor market to benefit our economy, workers, and communities.

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## INTRODUCTION: THIS GENERATION'S WORK-LIFE CONFLICT

A generation ago, a typical American household consisted of a family with two parents: a working father, who often earned enough to support the family, and a stay-at-home mother.<sup>1</sup> Today, however, most households with children need the income from two jobs to make ends meet. One of the most significant trends over the past 50 years has been the movement of women, especially mothers, into the paid labor force. Now that most women have entered the workforce, a two-parent, middle-income family has a husband working full-time (40 hours per week) and a wife working approximately three-quarters of full-time (30 hours per week). Complicating efforts to manage work-life responsibilities, employer work schedules can be inflexible and many working women (40 percent) must work irregular hours that include nights, evenings, and weekends. One-third of working women work shifts that differ from those worked by a spouse or partner. Between 1979 and 2004, the combined annual hours of work among families with children rose by 18 percent, the equivalent of every family putting in an additional 13.5 weeks of full-time work per year.<sup>2</sup>

Today, in 70 percent of households, all adults work, resulting in an increasing number without a stay-at-home parent or primary caretaker. While family dynamics and living arrangements have changed, the typical requirements of work have not, creating a mismatch between workplace expectations and workforce needs. Nearly half of all employees report conflicts between jobs and other responsibilities, more so than a generation ago, and many workers do not have access to opportunities to balance work-life responsibilities, such as paid sick days, family and medical leave, or flexibility in the workplace.<sup>3</sup> Today, workers need to be able to make use of a variety of work-life policies.

Our national work-life policy must also address the needs of people living alone, a living arrangement that has grown dramatically since the 1950s, when only nine percent of households consisted of people living alone. By 1970, people living alone represented 17 percent of households. In the 1990s, the number had grown to 21 percent, more than all other types of living arrangements. By 2005, 26 percent of households consisted of people living alone, and the percentage exceeded that of households made up of married parents and their own children.<sup>4</sup> People living alone also need time off to deal with responsibilities of extended family and other obligations. Unlike the occupants of households with more than one adult, people living alone must deal with these obligations on their own. If the household or family obligation must be handled during work hours, single people living alone have fewer options for managing the obligation than households with two or more adults.

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1 Boushey, Heather. "Family Friendly Policies: Helping Mothers Make Ends Meet." *Review of Social Economy* (forthcoming 2008).; Boushey, Heather. "Opting Out? The Effect of Children on Women's Employment in the United States." *Feminist Economics* (forthcoming). Mothers and wives usually did not work more than part-time outside of the home, if at all.

2 AFL-CIO. *Ask a Working Woman Survey*. <[www.aflcio.org/issues/jobseconomy/women/speakout/upload/aawwreport.pdf](http://www.aflcio.org/issues/jobseconomy/women/speakout/upload/aawwreport.pdf)> 2004. "Lake Snell Perry & Associates designed and administered this survey, which was conducted by phone using professional interviewers. The survey reached a total of 800...working women 18 and older nationwide....The survey was conducted February 3-8 and 21-23, 2004."; Mishel, Lawrence, Jared Bernstein, and Sylvia Allegretto. *The State of Working America 2006-7*. Ithaca, NY: Cornell University Press, 2007.

3 Williams, Joan. *One Sick Child Away from Being Fired*. University of California, Hastings College of Law, 2006.; Kornbluh, Karen. "The Parent Trap." *The Atlantic Monthly*. January/February 2003, p111-114.; Boushey, Heather, 2008. Analysis of United States Census Bureau, *Current Population Survey*, 2006, Annual Social and Economic Supplements, Tables F14, F13, F10, and FINC03.; Families and Work Institute. *National Study of the Changing Workforce*, 2002. "Despite somewhat increased work-life supports on the job, however, employees with families report significantly higher levels of interference between their jobs and their family lives than employees 25 years ago (45 percent versus 34 percent report this 'some' or 'a lot'). Men with families report higher levels of interference between their jobs and their family lives than women in the same situation."

4 United States Census Bureau. "Americans Marrying Older, Living Alone More, See Households Shrinking, Census Bureau Reports." *Press Release*. <[http://www.census.gov/Press-Release/www/releases/archives/families\\_households/006840.html](http://www.census.gov/Press-Release/www/releases/archives/families_households/006840.html)> May 25, 2006.

## Many Workers Lack Time Off

Despite these shifts in our society and labor force, only about 50 percent of workers are offered paid sick days. A mere 39 percent of low-wage jobs offer any paid sick days for personal illness, compared to 79 percent of jobs held by mid- and higher-wage and -income employees.<sup>5</sup> While many higher-income workers also benefit from the Family and Medical Leave Act<sup>6</sup> adopted during the Clinton-Gore administration, workers who cannot afford to go without the income from work are less likely to use the federally guaranteed unpaid leave. The Department of Labor reports that nearly three-quarters of all workers who benefited from family and medical leave policies earned \$30,000 or more annually. Among all workers who needed leave but did not take it, not being able to afford unpaid leave was the most commonly reported reason.<sup>7</sup>

*...only about 50 percent of workers are offered paid sick days....*

Even occasional job-protected unpaid sick days or leave to handle community or household responsibilities are not an option for many low-wage workers. Workers fear job loss or disciplinary action (such as fewer or less desirable shift assignments) for taking time off.

Only about one-third of all jobs provide employees complete or much control in scheduling work hours. About 38 percent of jobs held by low-wage and low-income employees are low-flexibility jobs compared to 19 percent of other jobs.<sup>8</sup>

## Work-Life Policies Strengthen the Labor Market

Some 44 million workers in the United States—about one out of every three—hold low-wage jobs paying a maximum of \$11.11 an hour, less than two-thirds of the male median wage.<sup>9</sup> Most low-wage jobs do not provide benefits that are typically associated with a good job, and the workers employed in low-wage jobs have limited economic mobility. The U.S. labor market has become increasingly polarized into “high-wage and low-wage jobs at the expense of middle-wage work.”<sup>10</sup>

Our public and private policy must acknowledge this reality and provide ways to turn low-wage jobs from bad jobs into better jobs. A comprehensive set of work-life policies would be a significant step in enhancing our labor market standards. Strengthening the labor market in this way requires that decision-makers acknowledge these changes in our labor market and living arrangements, including the growth of single, single-parent, and two-working-parent households.<sup>11</sup>

5 Lovell, Vicky. *No Time to be Sick*. The Institute for Women’s Policy Research, 2004.; Boushey, Heather, Shawn Fremstad, Rachel Gragg, and Margy Waller. *Understanding Low-Wage Work in the United States*. Inclusion and CEPR, 2007.; Bond, James T., and Ellen Galinsky. “What Do We Know About Entry-Level, Hourly Employees?,” *Research Brief # 1*. Families and Work Institute, November 2006. This study defined a low-wage job as one paying less than \$9.73 per hour in 2005 and a mid-wage job as one paying between \$9.73 and \$24.88 per hour.

6 Please see pages 6 and 7 for a full definition and description of family medical leave.

7 United States Department of Labor. *Balancing the Needs of Families and Employers: Family and Medical Leave Surveys*, 2000.

8 Boushey, Fremstad, Gragg, Waller, 2007.; Bond, James T., and Ellen Galinsky. “How Can Employers Increase the Productivity and Retention of Entry-Level, Hourly Employees?” *Research Brief #2*. Families and Work Institute, November 2006.

9 Boushey, Fremstad, Gragg, Waller, 2007.

10 Autor, David H., Lawrence Katz, and Melissa S. Kearney. “Polarization of the U.S. Labor Market.” *NBER Working Paper*, January 2006.

11 Kornbluh, Karen. “Families Valued: Creating a twenty-first-century social insurance system for today’s ‘juggler families.’” *Democracy Journal*, No. 2, Fall 2006.

## A FULL MENU OF POLICIES

Changes in living arrangements and the amount of time workers devote to paid employment are moving both public and private stakeholders to review and adopt policy options that address the mismatch between work and life responsibilities.<sup>12</sup> Critically, no one policy will address all situations, so policymakers and employers must consider a full menu of options that meet varying needs. Employee work schedules are and have been based on the expectation that workers will follow the employer's schedule without interrupting it to address other life needs. However, since there is often no adult at home during work hours, it can be difficult for workers to meet their home and other responsibilities if their employers require them to give priority to their job over other responsibilities. Thus, emerging work-life policies redefine success in the workplace to include a worker's ability to meet work and other obligations.<sup>13</sup>

A comprehensive review of the array of policy options clarifies that no single policy change can resolve the mismatch between labor market standards and changes in society. These policies guarantee time off from work for employees who are sick or need time to care for a family member, or encourage employers to consider schedules that work for employees as well as employers. The proposals presented below represent a full array of workplace policies for time off or scheduling adjustments and fall into three categories:

**1. Family and medical leave** guarantees workers time away from work to recover from a personal health condition, for the birth or adoption of a child, to care for an elderly family member, and/or to incorporate additional longer-term family care needs. A variety of family and medical leave public policies exist and a large number have been proposed at various levels of government.

The 1993 federal Family and Medical Leave Act provides *unpaid* family and medical leave for some U.S. workers. This legislation covers a wide range of family and medical issues and is a basic labor standard obligating employers (with at least 50 employees) to provide up to 12 weeks of unpaid, job-protected leave to employees to care for a new child, or to care for a child, spouse, parent, or themselves when stricken with a serious health condition. Employees who have been on the job for a minimum of one year and worked 1,250 hours during the previous 12 months are eligible for this leave.<sup>14</sup>

Short-term or temporary disability insurance offers some financial compensation for workers taking leave. Universal public programs for short-term or temporary disability insurance currently exist in five states--California, Hawaii, New Jersey, New York, and Rhode Island--and cover just one aspect of family and medical leave: leave for one's own health condition. In addition, some employers choose to offer this insurance to employees. Short-term or temporary disability insurance is generally jointly funded by employers and employees, although some employer and state programs are funded exclusively by employees.<sup>15</sup> The insurance provides workers with partial wage replacement for non-work-

12 Heymann, S.J. "National Caregiving Burden." *The Widening Gap: Why America's Working Families Are in Jeopardy and What Can Be Done About It*. The Project on Global Working Families. New York: Basic Books, 2000. <<http://www.hsph.harvard.edu/globalworkingfamilies/TWG.htm>>

13 Lambert, Susan, and Elaine Waxman. "Organizational Stratification: Distributing Opportunities for Work-Life Balance." *Work and Life Integration: Organizational, Cultural, and Individual Perspectives*. Lawrence Erlbaum Associates, 2005.

14 United States Department of Labor, Wage and Hour Division. *Leave Benefits: Family and Medical Leave*. <[www.dol.gov/dol/topic/benefits-leave/fmla.htm](http://www.dol.gov/dol/topic/benefits-leave/fmla.htm)>. Website accessed January 2008.

15 Lovell, Vicky. "Incomplete Development of State and Voluntary Temporary Disability Insurance." *Strengthening the Community: Social Insurance in a Diverse America*. Eds. Kathleen Buto, Martha Priddy Patterson, William E. Spriggs, and Maya Rockey Moore. Washington, DC: National Academy of Social Insurance, 2004.

related illnesses and injuries. Coverage by this type of insurance is only available to birth-mothers (and not to adoptive mothers, fathers, or birth-fathers) because it covers *pregnancy*-related disability, which includes time to recover from childbirth.<sup>16</sup>

*Currently, no federal or state laws exist to guarantee that employers offer paid sick days.*

Increasingly, state officials are working to extend state temporary disability insurance or develop new programs to cover a wide array of family and medical needs, including adoption. At the state level, California extended its temporary disability insurance in 2004 to cover leave to care for a(n) new child, ill child, spouse, parent, or domestic partner. In spring of 2008, New Jersey adopted the Paid Family Leave Law, expanding the state's temporary disability insurance and allowing workers up to six weeks of paid family leave benefits to care for a sick family member or a new child.<sup>17</sup>

Washington State officials passed a parental leave law in 2007, the Family Leave Insurance Law, which is scheduled to take effect in 2009. This law will allow most employees to receive financial benefits for five weeks to care for a newborn or newly-adopted child.<sup>18</sup>

**2. Paid sick days** guarantee workers the flexibility to deal with unanticipated or irregularly occurring short-term illnesses that do not qualify for leave under the Family and Medical Leave Act, such as a personal illness or injury or the illness or injury of household members and close family.<sup>19</sup> Workers can also use paid sick days for routine medical and preventive care. A lack of access to paid sick days is recognized by the Centers for Disease Control and Prevention as a public health concern. Industries that typically provide the least access to paid sick days include restaurant, hospitality, and child care, sectors with a high level of public contact.<sup>20</sup>

*Currently, no federal or state laws exist to guarantee that employers offer paid sick days.*<sup>21</sup> In February 2007, after a successful voter referendum, a new labor standard providing nine sick days for

16 United States Social Security Administration. *Social Insurance Programs: Temporary Disability Insurance*. <[ssa.gov/policy/docs/progdsc/sspus](http://ssa.gov/policy/docs/progdsc/sspus)> Website accessed January 2008. Puerto Rico also has a required public program for short term or temporary disability insurance.; United States Social Security Administration Office of Policy. *Annual Statistical Supplement*, 2006. <[www.socialsecurity.gov/policy/docs/statcomps/supplement/2006/tempdisability.html](http://www.socialsecurity.gov/policy/docs/statcomps/supplement/2006/tempdisability.html)>

17 Ness, Debra. "New Jersey will be Third State to Adopt Paid Family Leave Victory for Working Families Especially Critical as Economy Struggles." *Press Release*. National Partnership for Women and Families, April 7, 2008. <[http://www.nationalpartnership.org/site/PageServer?pagename=newsroom\\_pr\\_PressRelease\\_080407](http://www.nationalpartnership.org/site/PageServer?pagename=newsroom_pr_PressRelease_080407)>

18 Washington State Department of Labor and Industries. *2007 Family Leave Insurance Law: What will the new 2007 Family Leave Insurance law do?* <[www.lni.wa.gov/WorkplaceRights/LeaveBenefits/FamilyCare/LawsPolicies/default.asp](http://www.lni.wa.gov/WorkplaceRights/LeaveBenefits/FamilyCare/LawsPolicies/default.asp)> Website accessed January 2008.; According to the Economic Opportunity Institute, a group that tracks the Washington State Family Leave Insurance Program: "To ensure the Family Leave Insurance Program is ready to provide benefits in 2009, the Washington Legislature must take two actions in 2008: 1) Implement the recommendations of the Family Leave Insurance Task Force; and 2) Include \$6.2 million for family leave start-up costs in the Supplemental Budget." For additional information about the Washington State Family Leave Insurance Program, please reference: The Economic Opportunity Institute. *Paid Family Leave, Policy and Legislation*. <[http://www.eoionline.org/paid\\_family\\_leave/paid\\_family\\_leave\\_legislation.html](http://www.eoionline.org/paid_family_leave/paid_family_leave_legislation.html)> January 2008.

19 Paid sick days are used for more common or routine illnesses like a cold or the flu, while the federal Family and Medical Leave Act covers more serious illnesses like cancer or diabetes.

20 Germ Central. "Norovirus Threat Spurs New Focus on Sanitation, Sick-Leave Policies." <[www.germcentral.com/industries-supermarkets-norovirus.html](http://www.germcentral.com/industries-supermarkets-norovirus.html)> 2006.; Bond, James, et al. *2005 National Study of Employers*. Families and Work Institute, 2005.; Williams, 2006.; Friedman, Dana. "Workplace Flexibility: A Guide for Companies." *When Work Works*. Families and Work Institute, 2004.; Corporate Voices for Working Families and WFD Consulting. *Workplace Flexibility for Lower Wage Workers*, October 2006.

21 Lovell, 2004.

full-time workers and pro-rated sick days for part-time workers went into effect in San Francisco.<sup>22</sup> In March 2008, the District of Columbia passed the Accrued Sick and Safe Leave Act, becoming the second jurisdiction in the nation to guarantee paid sick days for its workers. The D.C. law provides from three to seven paid sick days annually for workers, depending on business size, and guarantees that workers can take not only paid sick days, but also paid “safe” days to seek services related to domestic violence.<sup>23</sup> In all states except Virginia and Louisiana, state government employees are permitted flexible use of paid sick days to care for sick family members.<sup>24</sup>

*Jobs that offer predictable scheduling...allow workers to avoid...work-life conflict....*

Several states also have laws that guarantee private-sector workers flexible use of their own sick days to care for a family member, but these laws only affect those workers whose employers already offer paid sick days.<sup>25</sup>

**3. Flexibility and predictability in the workplace** characterize a wide range of policies that are intended to create a safe space for communication between an employer and his or her employees about work schedules, work locations, and careers.<sup>26</sup> The term “flexibility” can refer to formal policies as well as more informal work practices through which employers and employees manage consumer demand while giving workers greater control over their schedules.<sup>27</sup>

- **Schedule Flexibility:** Workers may be able to arrange daily hours of work around a “core” time period during which they must be at work, for example, working eight hours per day as long as they are at the office between ten a.m. and four p.m. Such flexibility includes being able to set these hours at some regular interval—daily, monthly, or quarterly. Scheduling flexibility implies that employers do not impose schedules on workers and workers retain control over paid and unpaid overtime.<sup>28</sup> Public-sector workers sometimes have the option to utilize a compressed work week (working 40 or 80 hours over less than five or ten business days, respectively).<sup>29</sup>

22 Scherotter, Dan. *Marketplace*. NPR, October 2, 2006.

23 Stewart, Nikita. “Council Approves Sick Leave in District.” *The Washington Post*, March 5, 2008, B01. An amendment adopted just before passage will require an employee to work at an organization for 12 months before being eligible for sick leave. Other amendments “will exempt most health-care workers and waitstaff” from receiving paid sick days and will exempt businesses that prove a hardship. The District of Columbia will also perform a yearly analysis of the Act’s effect on area businesses.

24 Lovell, 2004.

25 Fitzpatrick, John J., Jr. “State Labor Legislation Enacted in 2005.” *Monthly Labor Review*, January 2006.; Lovell, 2004.

26 Friedman, 2004.; Bond, James T., and Ellen Galinsky. “What workplace flexibility is available to entry-level hourly employees?” *Research Brief #3*. Families and Work Institute, August 2006.; Flexibility in the workplace is not the same as “labor market flexibility.” Work-life flexibility policies provide employees with more control over their work schedule; labor market flexibility provides employers with greater control over their employees’ workday. Employers have labor market flexibility when they are able to require non-standard hours, rotating shifts, on-call work, or mandatory overtime. These kinds of labor market policies—some of which are often referred to as non-standard employment, or “precarious” employment situations, such as temporary or contract workers—allow employers to focus exclusively on profit-maximization, without necessarily taking into account the burdens on workers and their families. The critical distinction is in who has the ability to make decisions about work hours.

27 Bond and Galinsky, *Research Brief No. 3*, 2006.

28 Golden, Lonnie, and Helene Jorgensen. “Time After Time: Mandatory Overtime in the US Economy.” *EPI Briefing Paper #120*, January 2002. No federal legislation currently exists to restrict the amount of overtime that employees work, even if this overtime is unscheduled. The Fair Labor Standards Act of 1938, which regulates overtime, does not place caps on overtime hours, nor does it outlaw dismissal or sanctions against an employee for declining overtime work.

29 Bond, 2005.; Friedman, 2004.



- **Occasional Flexibility:** Flexibility in the workplace ranges from the defined policies above to almost total flexibility, whereby workers are responsible for the outcome(s) of their work but not for working during specific hours. In jobs with variable schedules, sufficient advance notice and input into one’s work schedule allow workers to plan for occasional responsibilities, such as home maintenance.<sup>30</sup> Most occasional flexibility opportunities are determined at the local level and can be based on relationships between a manager and an employee.
- **Reduced Time Flexibility:** Many workers choose to work part-time or switch between full-time and part-time work and need to be able to do so without losing job advancement possibilities. Job sharing (two employees sharing one full-time job) is also a form of reduced time flexibility.<sup>31</sup>
- **Career Flexibility:** Career flexibility allows workers who choose to leave the labor force or work part-time to reenter without loss of career advancement opportunities and benefits.<sup>32</sup>
- **Location Flexibility:** Many employees save time, money, and employer overhead costs by teleworking—working from home on a part-time or more permanent basis.<sup>33</sup>
- **Predictability of Scheduling:** Jobs that offer predictable scheduling, as well as scheduling in advance, allow workers to avoid additional work-life conflict by providing sufficient planning time to secure child care or meet other household needs. Because of the widespread practice of passing flexible consumer demand on to hourly employees, low-wage retail and service jobs often have the least amount of scheduling predictability.<sup>34</sup>

Leaders in the United Kingdom (U.K.) established the right of workers to request flexible working arrangements in the Employment Act of 2002.<sup>35</sup> This act makes it possible for workers who are caring for children under the age of six (or under the age of 18 if the child is disabled) to request flexible work arrangements from their employers, but it does not obligate an employer to accept a work request.<sup>36</sup> U.K. leaders created this right to accommodate the needs of caretakers and their employers and encourage dialogue about and consideration of flexible work solutions that work for both parties. In 2006, after broad agreement about the success of the Act, leaders expanded it to allow “carers” of adults to request flexibility.<sup>37</sup>

Surveys of employers and employees about the impact of the U.K. law show widespread satisfaction. Both employers and employees report that the vast majority of requests are granted.<sup>38</sup> Moreover, the government officials’ analysis of the survey results finds that employers understand the benefits of

30 Lambert and Waxman, 2005.

31 Friedman, 2004.; Williams, 2006.; Bond, 2005.

32 Friedman, 2004.

33 Friedman, 2004.

34 Lambert and Waxman, 2005.

35 Georgetown University Law Center. *Workplace Flexibility 2010*, 2004.

36 United Kingdom Department for Business, Enterprise, and Regulatory Reform. “Flexible working: the right to request and the duty to consider.” <<http://www.berr.gov.uk/employment/employment-legislation/employment-guidance/page35662.html>> 2008.

37 Georgetown University Law Center, 2004.; United Kingdom Department for Business, Enterprise, and Regulatory Reform, 2008.

38 Hayward, Bruce, Barry Fong, and Alex Thornton. “The Third Work-Life Balance Employer Survey.” *Employment Relations Research Series No. 86*. United Kingdom Department for Business, Enterprise, and Regulatory Reform, November 2007.; Hooker, Hulya, et al. “The Third Work-Life Balance Employee Survey.” *Employment Relations Research Series No. 58*. United Kingdom Department for Business, Enterprise, and Regulatory Reform, March 2007.

work-life policies for the workplace and employees. In the United States, policymakers and employers are exploring replication of the U.K. law with legislation and practice, incorporating better use of technology, cross-training, and employee engagement practices to ensure that workers have appropriate levels of workplace flexibility.<sup>39</sup>

**Table 1. Comparing Existing, Public, Work-Life Policies**

	<b>Policy Type</b>	<b>General Definition</b>	<b>Compensation</b>	<b>Length of Benefit</b>
<p><b>State temporary disability insurance programs</b> exist in California, Hawaii, New Jersey, New York, and Rhode Island. These programs cover leave for a personal health condition and are generally jointly funded by employers and employees.</p>	<b>Family and Medical Leave</b>	Family and medical leave policies can exist at all levels of government and guarantee workers time away from work to address family care and personal health care needs.	Different laws, ordinances, and proposals call for different forms of financial compensation. Compensation ranges from partial wage replacement with a required financial input from employees, to full paid leave, to unpaid, job-protected leave.	Leave insurance can be short-term or longer-term, because it provides wage replacement for non-work-related illnesses and injuries as well as pregnancy/childbirth or the adoption of a child.
<p>The <b>Family and Medical Leave Act</b> provides up to 12 weeks of job-protected, unpaid leave to eligible employees to care for a child, parent, spouse, or themselves.</p>				
<p>The Washington State <b>Family Leave Insurance Program</b> provides up to five paid weeks for most employees to care for a newborn or newly-adopted child.</p>				
<p>The California <b>Disability Compensation Program</b> extends California’s temporary disability insurance to cover caring for a child, spouse, parent, or domestic partner and bonding with a new child.</p>				
<p>The New Jersey <b>Paid Family Leave Law</b> extends the state’s temporary disability insurance program and allows workers up to six weeks of family leave benefits to care for a sick family member or a new child.</p>	<b>Paid Sick Days</b>	Paid sick days are provided to workers by an employer to guarantee the flexibility to deal with unanticipated or short-term health-related events such as personal or family illness or injury.	This type of legislation requires employers to fully compensate their employees for a specified, limited number of paid sick days.	The length of the benefit is dependent upon the job, but is normally not more than eight to ten days per year for full-time workers in large (more than 100 people) organizations. Pro-rated benefits are offered to part-time workers.
<p>The San Francisco <b>Paid Sick Days Ordinance</b> provides nine paid sick days for full-time workers and a pro-rated number of days for part-time workers.</p>				
<p>The Washington, D.C. <b>Accrued Sick and Safe Leave Act</b> provides three to seven paid sick or “safe” days annually for workers, depending on company size.</p>				

39 Corporate Voices for Working Families and WFD Consulting, 2006.

## COMPARING WORK-LIFE POLICIES

To illustrate the range of suggested policies, compare two federal bills introduced in the 110th Congress, the Healthy Families Act and the Family Leave Insurance Act. Press reports sometimes suggest that policymakers introduced these bills to address the same issue, but, in fact, the bills target different workplace situations.

Both bills would guarantee paid time off for employees, but the kind of time and the financing mechanisms would be different. The Healthy Families Act would ensure that employers with fifteen or more employees offer a minimum of seven *paid sick days* for workers, pro-rated for part-time employees. Employees would be able to use the days off for routine or preventive health care or for the care of a family member. This bill would also allow workers to care for themselves or immediate family members with a short-term illness or injury.

The Family Leave Insurance Act would guarantee the option of taking off time for longer-term needs and would offer up to eight weeks of *paid family and medical leave* annually for birth or adoption of a child or care of a seriously ill child, parent, or spouse. This leave would not begin until an employee had been away from his or her job for at least one week.

As demonstrated above, short-term sick days and longer-term family and medical leave address different situations—one policy cannot substitute for the other. The two pending bills not only cover different situations, but they also would finance the cost of leave differently and thus, create different expectations of employers. The Healthy Families Act would require that employers pay employees for a limited number of sick days, but would not provide reimbursement from the federal government. The Family Leave Insurance Act, by contrast, would create an insurance mechanism in which employees and employers would each pay 50 percent of the premiums and employers would administer the payment of benefits.

**Table 2. Comparing Two Proposed, Federal, Work-Life Policies**

Proposed Policy	Policy Category	Compensation	Length of Benefit	Allowable Uses
<b>Healthy Families Act</b>	<b>Paid sick days</b>	Requires employers to pay employees for sick days without reimbursement from the federal government.	Offers a minimum of seven paid sick days for full-time workers; pro-rated for part-time employees.	Allows workers to care for themselves or immediate family members with a short-term illness or injury. Allows time to access preventive care.
<b>Family Leave Insurance Act</b>	<b>Family and medical leave</b>	Creates an insurance mechanism in which employees and employers will each pay 50 percent of the premiums and employers will administer payment of benefits.	Offers up to eight weeks of paid family and medical leave annually. Family leave does not begin until an employee has been away from his or her job for one week.	Allows for birth or adoption of a child; care of a seriously ill child, parent, or spouse.

## WORK-LIFE POLICIES: THE ECONOMIC CASE

The nature of work and life responsibilities generally permits employers and employees to work together in planning to meet these needs. Since most adult workers have a role in household responsibilities, employees need and value a regular schedule that can be adjusted when necessary. Fortunately, only a few jobs have requirements that necessitate being “on call” and job requirements play a small role in dictating whether or not a worker has workplace flexibility. Still, while many employers voluntarily provide some flexibility for workers when they have an emergency, too many workers do not have the flexibility and predictability of scheduling they need to accommodate other life activities. Employers may feel that it is difficult to meet unanticipated need for time off, and small businesses in particular may be reluctant to deal with additional staff planning for time off. Yet, many employers have used public and private policy to balance these competing interests. Now it is critical for more employers and the public to see the economic benefits of adopting better work-life policies.

While some work-life policy initiatives do not require a direct financial outlay, paid leave policies compensate workers while they are away from the worksite. In contrast, despite an initial investment, costs for implementation of workplace flexibility are relatively small compared with the workforce, economic, and community benefits that result. Employer benefits include improved employee retention, positive human capital outcomes, and a more productive workforce, all of which can lead to stronger financial performance, especially for retail companies whose employees often have a direct relationship with customers.<sup>40</sup>

Perhaps the largest savings can be realized through reduced employee turnover. Employer cost for replacing and training a salaried worker can be up to 150 percent of the previous worker’s pay; turnover costs when replacing hourly workers can equal up to 50-75 percent of annual pay. While the average cost of replacing an employee is slightly above \$13,000, costs vary widely across sectors based on industry and occupation.<sup>41</sup> For example, the cost of turnover is lower in the leisure and hospitality industries, where turnover is likely to be greater, and higher in the information industry, where turnover tends to be lower.<sup>42</sup> Greater work flexibility leads to higher job satisfaction, which is positively correlated with a reported intent to stay at a current job, stronger dedication of workers, and higher worker morale. Thus, providing more flexibility can yield important savings for employers.

Employers also see improved productivity and “positive business results” as a result of implementing work-life policies.<sup>43</sup> For example, researchers reporting on a 2002 Watson Wyatt study found that “companies that provide more flexible work arrangements” could see as much as a 3.5 percent rise in shareholder value.<sup>44</sup>

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40 Corporate Voices for Working Families and WFD Consulting. *Business Impacts of Flexibility: An Imperative for Expansion*. Washington, DC: November 2005.

41 Phillips, D.J. “The Price Tag of Turnover.” *Personnel Journal*. Issue 69, Volume 12, p58. 1990.

42 Appelbaum, Eileen, and Ruth Milkman. *Achieving a Workable Balance: New Jersey Employers’ Experiences Managing Employee Leaves and Turnover*. New Brunswick, NJ: Center for Women and Work, 2006.; Ibid. Replacing hourly employees at one large manufacturing plant that has a rate of turnover between 25 percent and 30 percent each year (240-300 people) costs this company more than \$180,000 annually. This figure does not include the overtime that the company must pay to other hourly employees who work more hours while a position is vacant.

43 Bond and Galinsky, *Research Brief No. 3*, 2006.

44 Watson Wyatt. “The Business Case for Superior People Management.” *Survey*. <[www.watsonwyatt.com/strategyatwork/article.asp?articleid=9521](http://www.watsonwyatt.com/strategyatwork/article.asp?articleid=9521)> 2008.

In addition, work-life policies lead to better mental health and less stress, which contribute to a reduction in employee health care costs. Stress at work can increase employees' unscheduled absences, and health care expenditures are nearly 50 percent greater for U.S. workers who report high levels of stress.<sup>45</sup>

Despite these important benefits, there are a number of barriers to the implementation of work-life policies. In some industries, such as health care and customer service, challenges can include the difficulty of 24-hour coverage.<sup>46</sup> Additional perceived barriers include a lack of trust in the discretion and judgment of workers, the prevailing management attitude that greater control of work processes and schedules is needed, and a concern that implementing work-life policies might raise costs.<sup>47</sup>

Yet, the potential cost of denying paid sick days to workers is also high: presenteeism (coming to work while sick) represents an average of 60 percent of employer expenditures on common health conditions. This exceeds the percentage of spending on absenteeism and medical and disability benefits combined.<sup>48</sup> For employees, frequent overtime requirements with little notice, fewer flexible work arrangements, and less supportive supervisors and workplace climates contribute to higher job dissatisfaction, higher likelihood of seeking other jobs, greater job-related stress, and greater job interference with household and community commitments.<sup>49</sup>

## IMPORTANT CONSIDERATIONS FOR MOVING FORWARD

As stakeholders and policymakers generate and consider new work-life policies, they should:

- Ensure *participation is at workers' discretion*. Workers should determine when and how these policies are used, incur no pay or promotion penalties, and not fear loss of job security. Workers have little or no control over the timing of situations that require paid sick days or family and medical leave. Therefore, these workplace policies, if voluntary and accessible, give workers the means to balance work-life responsibilities and find solutions that work for both employer and employee.<sup>50</sup>
- Adopt a *menu of policy options* that fit different employee and employer situations. No single policy will meet all needs and encourage broad support to address changes in workforce, living arrangements, and society.

*Improve the labor market...  
by creating basic labor  
standards that benefit  
everyone....*

45 National Institute for Occupational Safety and Health (NIOSH), U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention. "Stress at Work." *Publication Number 99-101*. <[www.cdc.gov/niosh/stresswk.html](http://www.cdc.gov/niosh/stresswk.html)> Website accessed January 2008.

46 Corporate Voices for Working Families and WFD Consulting, 2006.

47 Bond, 2005.

48 Goetzal, Ron, et al. "Health Absence, Disability, and Presenteeism Cost Estimates of Certain Physical and Mental Health Conditions Affecting U.S. Employers." *Journal of Occupational and Environmental Medicine*, April 2004. This study used seven common employee surveys that measured the presenteeism costs of small, medium, and large employers as well as multi-location corporations.

49 Corporate Voices for Working Families and WFD Consulting, 2006.

50 Boushey, 2008.

- Acknowledge *employer concerns about costs*. Many employers—particularly small business owners—are concerned about covering the cost of paid leave and thus, feel disadvantaged in hiring and retention when other employers offer paid time off. A state or national insurance-based system that contributes to the cost of paid leave would help all employers and employees. Further, paid leave legislation would allow employers to combine publicly funded leave benefits with existing paid time off benefits, which would result in cost savings for some companies. The savings employers accrue from a public insurance system could help offset costs of hiring temporary workers or paying overtime to current workers.
- Improve the labor market and strengthen communities by creating *basic labor standards that benefit everyone*, not just senior or higher-paid workers. In general, workers who earn higher wages are more likely to have access to all types of work-life policies already. Policymakers should ensure equal access to paid time off and other options.

## CONCLUSIONS AND RECOMMENDATIONS

Policymakers and employers should broadly adopt the following work-life policies:

- ***Guaranteed paid sick days:*** Ensure access for all workers, including part-time and temporary workers, to paid sick days for themselves and to care for household members and close relatives. This paid time off should also be available for preventive health care obligations.
- ***Paid family and medical leave:*** Expand existing rights to time off for family and medical needs to workers at smaller businesses and new employees, and create insurance that guarantees some compensation for leave time.
- ***Workplace flexibility:*** Implement new policy guaranteeing the right to request flexibility, as U.K. leaders have done successfully, taking care not to discriminate against those who work part-time or need longer-term leave to deal with commitments outside of work.
- ***Scheduling predictability:*** Offer more predictable schedules wherever and whenever possible, allowing workers to plan for meeting both work and life responsibilities with greater advance notice. In addition, employers should not mandate scheduled or unscheduled overtime.

Recent evidence of public concern about both public capacity to manage work-life policy and interference in employment policy suggests that a new dialogue about these policies will be required for successful implementation.<sup>51</sup> Funders and other stakeholders should support research designed to develop a dialogue that builds public will.

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51 Bostrom, Meg. *Achieving the American Dream: A Meta-Analysis of Public Opinion Concerning Poverty, Upward Mobility, and Related Issues*. Economy that Works Project of the Ford Foundation. <<http://www.economythatworks.org/reports.htm>> 2001.; Demos, Public Works, Council for Excellence, and the FrameWorks Institute. Framing Project: *How to Talk about Government*. <<http://www.demos.org/page284.cfm#research>> 2005-2006.

No single policy can solve the current mismatch between labor market standards and changes in workforce and workplace practice. Developing broad support for work-life policies will require that employers, policymakers, and employees create a menu of options. Moreover, supporters of these policies will need to be cognizant of employer and public concerns, developing a public dialogue about these issues that supports the policy solutions necessary to meet the needs of today's workforce and labor market, while producing positive social and economic results for all.

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