

# Make It Work

## THE MAKE IT WORK CAMPAIGN'S POLICY PROPOSAL ON WORK & FAMILY

Too many people are forced to choose between being there for family and earning a paycheck. That's a decision no one should have to make. That's why we're suggesting a set of common-sense solutions, like seven paid sick days for all workers, paid time to care for new children and serious illnesses, better treatment for moms-to-be, and scheduling that's predictable for people whose work schedules change by the week, and who need flexibility to meet the demands of real life.

**Solution:** Our policy platform includes common sense legislation to address each of these issues.

- We support earned sick days through the **Healthy Families Act**, which would allow millions more workers to earn up to seven paid sick days per year.
- We also support paid family and medical leave through the **FAMILY Act**, which would provide paid leave to workers to care for newborns and newly adopted children, as well as themselves or a family member in the event of a serious illness.
- In addition, we support flexibility and predictability for workers through the **Schedules that Work Act**.
- We also endorse fair treatment for moms-to-be through the **Pregnant Workers Fairness Act**.

### EARNED SICK DAYS

We all get sick, but we can't all take sick days. In fact, nearly 40 percent of American workers do not get paid sick days.<sup>1</sup> No one should have to choose between paying their bills and taking care of themselves or a loved one who's sick. The **Healthy Families Act** would:

- Allow workers in businesses with 15 or more employees to earn up to seven job-protected paid sick days each year to be used to recover from their own illnesses, access preventive care or provide care to a sick family member.
- Allow workers who are victims of domestic violence, stalking or sexual assault to use their paid sick days to recover or seek assistance related to an incident.
- Allow employers to require certification if an employee uses more than three paid sick days in a row. For victims of domestic violence, the certification may be from a law enforcement officer or victim advocate.

- Allow employers to use their existing policies, as long as they meet the minimums set forth in the Healthy Families Act for time, types of use and method of use.

## PAID FAMILY AND MEDICAL LEAVE

Only 13 percent of U.S. workers have access to paid family leave through their employers.<sup>ii</sup> Furthermore, the United States is the only developed nation that does not guarantee paid maternity leave and one of only four that doesn't offer paid parental leave to new fathers.<sup>iii</sup> No one should keep you from caring for a spouse battling cancer, a newborn baby, or a parent in his or her final days. Congress should pass the **FAMILY Act**, which provides paid leave to care for new children and those with serious illnesses. The bill would:

- Provide workers with up to 12 weeks of partial income when they take time for their own serious health condition, including pregnancy and childbirth recovery; the serious health condition of a child, parent, spouse or domestic partner; the birth or adoption of a child; and/or for particular military caregiving and leave purposes.
- Enable workers to earn 66 percent of their monthly wages, up to a capped amount.
- Cover workers in all companies, no matter their size. Younger, part-time, lower-wage and contingent workers would be eligible for benefits.
- Be funded by small employee and employer payroll contributions of two-tenths of one percent each (two cents per \$10 in wages), or about \$1.50 per week for a typical worker.
- Be administered through a new Office of Paid Family and Medical Leave within the Social Security Administration. Payroll contributions would cover both insurance benefits and administrative costs.

## FAIRNESS FOR MOMS-TO-BE

The Pregnancy Discrimination Act of 1978 (PDA) outlawed pregnancy discrimination, and Congress made it clear when it passed the PDA that sex discrimination includes discrimination based on pregnancy, childbirth or related medical conditions. However, employers often refuse to provide reasonable accommodations for pregnant workers, and courts have interpreted existing legal protections narrowly. Plenty of women are able to work through their pregnancies without any alteration to their jobs, but some pregnant workers are forced out of their jobs unnecessarily when reasonable accommodations would enable them to keep working. Congress should pass the **Pregnant Workers Fairness Act**, which ensures women can maintain both their jobs and healthy pregnancies.

- Modeled on the Americans with Disabilities Act, the Pregnant Workers Fairness Act would ensure the same workplace protections for women with pregnancy-related limitations as the protections already in place for workers with similar limitations.

- The bill protects women’s right to ask for reasonable job modifications so they can keep working to support their families.

## FLEXIBLE AND PREDICTABLE SCHEDULING

Congress should pass the **Schedules That Work Act**, which ensures flexibility and predictability for workers. Getting work schedules last minute puts people in tough situations as they scramble to find care for children and loved ones. This legislation proposes that people get their work schedules at least two weeks in advance, and should be able to request flexible schedules that allow them to meet their responsibilities within and outside of their jobs.

Nearly 80 percent of workers would like to have more flexible work options and would use them if there were no negative career consequences.<sup>iv</sup> The Schedules That Work Act would provide relief to workers facing irregular and unpredictable schedules by:

- Protecting all employees from retaliation for requesting a more flexible, predictable or stable schedule.
- Creating a process for employers to consider requests that is responsive to the needs of both employees and employers. Employees who make requests because they have caregiving duties, are dealing with a health condition, are pursuing education or training courses, or need to meet the demands of a second job must be granted the schedule change, unless the employer has a bona fide business reason for denying it.
- Compensating workers for at least four hours of work if an employee reports to work when scheduled for at least four hours but is sent home early.
- Providing that employees receive work schedules at least two weeks in advance. Though schedules may later be changed, one hour’s worth of extra pay is required for schedules changed with less than 24 hours’ notice.
- Providing workers an extra hour of pay if scheduled to work split shifts, or non-consecutive shifts within a single day.

Work is increasingly demanding more, while our current policies are offering up less and less. Let’s change that. People who work hard deserve to make more than a decent living. We deserve a decent life.

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<sup>i</sup> <http://www.washingtonpost.com/blogs/wonkblog/wp/2015/01/15/more-than-a-third-of-american-workers-dont-get-sick-leave-and-theyre-making-the-rest-of-us-ill/>

<sup>ii</sup> <http://www.nationalpartnership.org/issues/work-family/paid-leave.html>

<sup>iii</sup> [https://www.whitehouse.gov/sites/default/files/docs/leave\\_report\\_final.pdf](https://www.whitehouse.gov/sites/default/files/docs/leave_report_final.pdf)

<sup>iv</sup> <http://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=1012&context=legal>