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The Honorable Thomas Stevens, Chair
House Committee on General, Housing and Military Affairs
Vermont Legislature
State House
Montpelier, Vermont

RE: H.107 – An act relating to paid family leave

Dear Chair Stevens and Members of the Committee:

My name is Bor Yang and I'm the Executive Director of the Vermont Human Rights Commission (VHRC). For those of you who are not familiar with the VT Human Rights Commission, our mission as an agency is to promote full civil and human rights in Vermont. The Commission protects people from unlawful discrimination in housing, state government employment and public accommodations. It enforces its laws through investigations, conciliations and litigation. The Commission provides education and training and develops and advances policy relating to the protection of the most vulnerable; those belonging in protected categories including women, children, persons of color, new Americans, persons with disabilities and members of our LGBTQIA community.

Pursuant to 9 V.S.A. §4551, The Commission has jurisdiction over all claims of employment discrimination and claims arising out of 21 V.S.A. § 471 et seq. – family and parental leave, when the State is the employer.

The VHRC supports H.107. We support expanding parental and family leave act to employers with 10 or more employees as we know that Vermont is a state with many small businesses and without this expanded definition, the benefits of the law would not reach every Vermonter. Likewise, the VHRC supports expanding the definition of "family." Limiting family to the nuclear definition discounts cultures that have a more expansive definition of family where we see extended relatives such as aunts, uncles, grandparents, non-blood related friends care for children that are not born to them. Additionally, there are many Vermont children in the care and custody of extended family due to the Opioids crisis in the State. Some of these children suffer from trauma that impact their health and well-being. To leave these children and their caregivers out of the definition of "family" would be doing a disservice to those who need paid family leave most.

There are many benefits to a mandatory paid parental leave that are important to our mission. Studies have shown that paid family leave is beneficial to women, men, children and employers. A 2011 study of 141 countries showed that paid leave policies was associated with 10% lower neonatal and infant mortality rate.¹ Furthermore, when mothers have access to paid maternity leave their children are more likely to get vaccinations.² It lowers the rates of postpartum depression, even decades later.³ Fathers who have access to paid leave are more likely to care for their children. Expanded family leave policies, such as those that support fathers taking time off to care for children, can increase parent and child bonding and promote higher cognitive test scores.⁴

Paid leave is helpful to employers as well. Research has shown that women who take maternity leave make more money and stay in the workforce longer.⁵ It attracts excellent employees and retains them. Employees report higher morale and being more productive.

Paid family leave is especially beneficial to people who have to weigh the difficult decision of carrying for themselves and their loved ones against paying for their rent or mortgage. The Pew Research Center found that 27% of persons who were employed for pay between November 2014 and November 2016 took leave (both paid and unpaid) for family caregiving reasons or their own serious health condition over that time period, and another 16% had a need for such leave, but were not able to take leave.⁶ The U.S. Bureau of Labor Statistics estimates that just 16 percent of civilian workers have paid family leave⁷ although approximately 90% of workers are covered by the Family and Medical Leave Act (1993).⁸

The VHRC encourages members of the committee to ensure that any costs associated with a paid family leave act are low as we know that it is lower income women and men that would most benefit from a paid leave policy.⁹ A voluntary program with high premiums would likely be cost prohibitive to low income Vermonters who need the ability to take paid leave the most as they are less likely to have paid annual or sick leave time to use in place of paid family and parental leave.

As context, there are six states that have adopted paid leave laws: California, New Jersey, Rhode Island, New York, Massachusetts and Washington state. These programs are all mandatory.¹⁰

¹ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3150137/>

² <https://www.sciencedirect.com/science/article/abs/pii/S0277953615300241>

³ <https://www.workingmother.com/indisputable-reasons-why-paid-family-leave-is-good-for-babies-parents-companies-and-everyone-else#page-6>

⁴ <http://www.dol.gov/asp/polic-development/PaternityBrief.pdf>

⁵ https://www.dol.gov/wb/resources/paid_parental_leave_in_the_united_states.pdf

⁶ Juliana Horowitz, Kim Parker, Nikki Graf, and Gretchen Livingston, *Americans Widely Support Paid Family and Medical Leave, but Differ over Specific Policies*, PEW Research Center, March 2917

⁷ <https://www.minnpost.com/state-government/2018/12/legislative-session-to-see-big-push-for-paid-family-leave-in-minnesota/>

⁸ *Id.*

⁹ <http://digital.vpr.net/post/govs-scott-sununu-announce-joint-voluntary-paid-family-leave-plan-vt-and-nh#stream/0>

¹⁰ <http://digital.vpr.net/post/govs-scott-sununu-announce-joint-voluntary-paid-family-leave-plan-vt-and-nh#stream/0>

The District of Columbia's will be starting this year.¹¹ Hawaii's legislature has also commissioned a study of the issue and Minnesota is taking it up in this session as well.¹² Vermont would be a leader in this regard.

For all of these reasons, the Human Rights Commission believes that a paid plan like the one introduced in House Bill 107 should pass and would be a great protection to employees in the State of Vermont.

Thank you.



Bor Yang
Executive Director and Legal Counsel

¹¹ <https://www.minnpost.com/state-government/2018/12/legislative-session-to-see-big-push-for-paid-family-leave-in-minnesota/>

¹² <https://www.minnpost.com/state-government/2018/12/legislative-session-to-see-big-push-for-paid-family-leave-in-minnesota/>