

Time Matters - Indiana Coalition's Response to the Bipartisan Congressional RFI on Paid Leave

This comment is respectfully submitted with the endorsement of:

Organizations:

Indiana Chapter of the American Academy of Pediatrics (INAAP)
Greater Indianapolis Multifaith Alliance
Indiana Community Action Poverty Institute
Indiana Coalition Against Domestic Violence
Prosperity Indiana
Indiana Assets & Opportunity Network
Indiana NOW
Building A Thriving Compassionate Community
Hoosier Action
Indiana Friends Committee on Legislation
Indiana Association of Area Agencies on Aging
Healthier Moms and Babies
MCCOY (Marion County Commission on Youth, Inc.)
Mother Hubbard's Cupboard
Safe At Home
Domestic Violence Network
Coburn Place
Alternatives Incorporated of Madison County
Tandem Community Birth Center and Postpartum House
South Central Community Action Program
Family Support Services of West Central Indiana
The Center For Nonviolence, Fort Wayne
Monroe County NOW
American Association of University Women Indiana
American Association of University Women Indianapolis
Indiana Public Health Association
Lafayette Urban Ministry
WonderLab Museum of Science, Health, & Technology

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A national paid family and medical leave policy would benefit Indiana families, businesses, and communities. Because our children are our future neighbors, colleagues and

leaders, it is profoundly in our interest as Hoosiers to support policies that have the potential to promote optimal child and family well-being. In a state that struggles with high healthcare costs and poor health outcomes, paid family and medical leave would ensure that Hoosiers have the ability to take care of their own health needs, which would help to address these outcomes. Paid family leave also represents an opportunity to support the 790,000 unpaid Hoosier family caregivers serving their loved ones of all ages (Reinhard et al., 2023). For businesses, being able to offer paid leave benefits would help attract and retain workers, particularly among Indiana's small businesses, for which the competition to attract top talent is fierce. Ultimately, the state you live in or the employer you work for should not determine whether or not you are allowed to recover from childbirth, your own medical condition, or to care for a loved one. Yet only nine states offer paid family and medical leave programs, with four more unrolling programs in 2025 and 2026. Federal action is needed.

The Current State of Paid Leave in Indiana

Paid leave remains relatively uncommon as a discretionary benefit, with an estimated 23% of civilian workers in Indiana receiving paid family leave from their employers (U.S. Census Bureau, 2022). The federal Family and Medical Leave Act (FMLA) - which is currently the only major law governing access to leave in Indiana - provides some Hoosier workers nominal access to unpaid family and medical leave. However, it only applies to employers with at least fifty employees and workers who can meet longevity and hour thresholds, restrictions that exclude more than 40% of U.S. workers (U.S. Department of Labor, 2018). A significant share of those who are eligible cannot afford to take an extended time off work without pay; in Indiana, only 36.4% of adult workers are estimated to be both eligible for and able to afford to take FMLA (Diversitykidsdata.org, 2024). Taking four weeks of unpaid leave leads to an average loss of over \$2,900, forcing many families to choose between economic and health/familial well-being. To illustrate, Healthier Moms and Babies of Fort Wayne, Indiana (2023) found that of the 1,000 women they surveyed, 26% of women in Fort Wayne went back to work at 5-8 weeks postpartum, 13% at 2-4 weeks and 4% at less than 2 weeks. Because so many Hoosiers lack access to paid family and medical leave, our federal lawmakers need to act to support their well-being.

As a coalition, we see many potential benefits to establishing a systemic approach to paid family and medical leave:

Improved Maternal and Infant Health

Indiana ranks in the top 10 of states with the highest maternal and infant mortality rates (CDC 2021a; CDC 2021b). There is a need for time to recover after pregnancy and birth, with the post-birth period being a key bonding moment for those with newborns as well as a transitional time with new family dynamics (Combs, 2021). Paid leave is essential to provide this recovery, adjustment, and bonding time for families. Numerous studies illustrate the maternal and child health benefits of paid leave, demonstrating that more generous leave policies are associated with lower infant mortality, decreased low birth weight, improved child

immunization rates, increased breastfeeding rates, fewer maternal depressive symptoms, and improved maternal health (Aitken et al. 2015; Bartel et al. 2023; Petts 2018). A study comparing mothers who were able to take paid leave to those who were unable to take any leave or had to take it unpaid noted decreased hospitalizations by 51% among mothers who had paid leave - and infants also had a similar reduction in hospitalizations (47%) (Jou et al., 2017).

"Despite being in a privileged position with a supportive family and well paying full time job, I was forced to piece together a limited "maternity leave" using vacation days, sick time, unpaid leave and part time work. Giving birth is not just physically traumatic, but the months after are a critical time for families and babies that lay the foundation for a lifetime of success or struggle. Paid Family & Medical Leave is critical for a state and nation that truly wants to see citizens thrive, not survive."

Claire Lane, Time Matters - Indiana Coalition Member

There is also evidence that fathers' ability to be home from work more frequently promotes improved maternal health outcomes (Persson & Rossin-Slater 2019). In addition, fathers' leave-taking promotes father involvement, parental relationship quality, marital stability, and better father-child relationships (Petts & Knoester 2018; 2020; Petts, Carlson & Knoester 2020; Petts, Knoester & Waldfogel 2020).

Increased Workforce Participation

The benefits of paid leave investment would extend beyond individual families and households into the broader economy. Countries such as Canada, Germany, and the U.K. have higher female participation in the labor force, which has been attributed to their extensive leave policies. The labor force gap in participation costs the U.S. \$650 billion annually and approximately 89,000 female workers from participating in the labor force (National Partnership for Women & Families, 2022). It has a significant negative economic impact on the state of Indiana alone by contributing to the loss of an estimated 120,000 workers and \$3.8 billion in wages (National Partnership for Women and Families, 2023). Paid family leave legislation impacts and supports the participation of mothers in the workforce by increasing their participation by 6% in one year after birth alone (Institute for Women's Policy Research, 2020). As the majority of Hoosier parents are working parents, paid leave legislation would support individuals and the greater economy.

The post-birth loss in earnings, productivity, and revenue has contributed significantly to the current childcare crisis, which is further compounded due to the lack of supportive paid family leave legislation. Parents are forced to return to work quickly, and must weigh childcare options alongside their household's economic needs. The present shortage in affordable child care, however, has made it difficult for parents to balance the demands of parenthood and work. A survey taken in 2023 shows that 85% of primary caregivers have had their work commitment impacted as a result of challenges faced with childcare (Ready Nation, 2023). With 57% of Indiana's workforce being working parents, paid family and medical leave (PFML) is of prime importance to consider for the well-being of Hoosier families (*Child Care and Indiana's Economy in 2021*, 2021).

“[PFML] coverage would help keep more Hoosiers in the workforce, would better support working parents and would improve health outcomes for both parents and children, which is so needed in our state.”

Nicole Trojanowski, Time Matters - Indiana Coalition Member

Paid leave affects other types of caregivers as well. A 2023 report by the AARP Public Policy Institute indicated that the majority (61%) of family caregivers of adults worked either full-time or part-time in 2019, with 54% in hourly wage positions (Reinhard et al., 2023). Most of these working family caregivers were providing care hours equivalent to a part-time job (Reinhard et al., 2023). When working family caregivers lack support to care for their loved ones, they are at risk of disengaging from the workforce for long periods of time and additional financial instability. The percentage of working caregivers who had to leave their employment to care for a family member or close friend is not insignificant, representing 19% of individuals who responded to the AARP study. Disparities can be seen in this number, with younger, Black/African American, and Hispanic/Latino caregivers being more likely to leave employment to provide care for a loved one. The economic cost of forgone earnings by family caregivers totals in the billions (Reinhard et al., 2023).

Improved Child Development & Reduction in Child Neglect & Abuse

The Centers for Disease Control and Prevention (CDC) has identified paid leave as an effective strategy for improving child development and preventing child abuse. Child abuse is a problem for all Hoosiers who love and are responsible for children, and it is not acceptable as a common occurrence in the state of Indiana. According to the National Adverse Child Experience Study (ACE), child abuse is an Adverse Childhood Experience (ACE) that has lasting effects on children’s physical, emotional and social development. ACEs are instances of trauma or extreme stress that are experienced during childhood and children with one or more ACEs typically have worse health outcomes across the lifespan (Felitti et al., 1998). Research shows that when children experience child abuse, they suffer from a diminished capacity to learn and earn across their lifespan (Currie et al., 2010). In addition to being morally unacceptable, child abuse is expensive—where estimates show that the costs of healthcare, criminal justice, special education services and lost productivity for each victim across the lifespan are over \$200,000 in costs (Fang et al., 2012).

“As a pediatrician, I have a front row seat viewing the early brain development of our communities’ children. From this vantage point, I see the positive neurodevelopment impact when parents are able to give their full energy and attention to their newborn. Paid leave allows parents to bond with their baby during the critical first weeks of life, helping to establish healthy relationships their child.”

Dr. Tony GiaQuinta, Fort Wayne Pediatrician

Paid leave reduces incidences of children under the age of 2 years experiencing parental abuse, potentially due to the reduction in parental stressors such as financial concerns

(Klevens et al., 2016). Without these protections, children have increased vulnerability to ACEs (National Partnership for Women & Families, 2021).

Having an increased number of ACEs is associated with an elevated risk for negative physical and mental health outcomes. In Indiana, 17.5% of children have experienced two or more adverse childhood experiences, putting our state three percentage points higher than the national average. As of the National Survey of Child's Health (2020-2021), Indiana is ranked 36th in ACEs (United Health Foundation, 2021). Providing paid family leave further supports families economically, which could assist in the prevention of family violence (Bullinger et al., 2022). In states that provide Paid Family Leave (PFL), it is commonly used after birth - a point in time when children are known to be at some of the greatest risk for child maltreatment (Bullinger et al., 2022).

Paid parental leave supports reductions in risk factors for child abuse and domestic violence including improving economic insecurity and reducing unemployment; there is also increases in protective factors like strong, connected family relationships (Aitken et a. 2015; Bartel, et al., 2023; Klevens et al., 2016; Petts & Knoester, 2018; 2020; Petts, Carlson & Knoester, 2020; Petts, Knoester & Waldfogel, 2020). Inclusive paid leave policies allow men, who are often left out of paid family leave policies, to increase their bonds with family members (Horowitz et al., 2017; Petts & Knoester, 2018; 2020; Petts, Carlson & Knoester, 2020; Petts, Knoester & Waldfogel, 2020). Furthermore, paid family leave that is inclusive of men may help decrease the disproportionate burden of income loss carried by women, and reduce maternal stress and inter-family conflict (Bullinger et al., 2022; Glynn & Corley, 2016; Rossin, 2011; Wang, 2014). These protections have immediate impacts on families in reducing the likelihood of child abuse (Klevens et al., 2016) and they have future impacts on the well-being of children allowing them to be raised in safe, stable and nurturing families.

Research has also found that parental leave is correlated with positive socio-emotional development for young children, potentially due to the ability of parents to have additional time at home with their children (Bullinger et al., 2022). Providing them the time to use both effective and appropriate parenting practices without the concern of job loss or work pressures (Bullinger et al., 2022). The CDC has identified safe, stable and nurturing relationships and environments as an effective mechanism for promoting optimal youth development and for preventing multiple forms of abuse (Centers for Disease Control and Prevention, 2014). Paid family leave is a cornerstone of this strategy as it allows families to bond with and nurture their children in the critical, early stages of their development.

Reduced Racial and Ethnic Inequities

Nationalizing a paid family and medical leave policy would help ensure that everyone can take the time they need to care for a new baby or a loved one with a serious health condition. This is important for *all* workers, but it is particularly essential as a way of addressing racial and ethnic inequities that arise under privatized systems. As noted above, only about one in four workers receives paid family leave from their employer as a discretionary employment benefit; for the workers in the lowest quartile of wage earners, it's only about one in eight (U.S. Bureau of Labor Statistics, 2023). Part-time workers are also far less likely to receive paid family leave than full-time workers. Due to structural inequities in the labor market, this means that

Black and Latino workers are especially unlikely to receive paid family leave under discretionary policies (Goodman, Williams & Dow, 2021). A comprehensive paid leave policy—and one that ensures coverage for both full-time and part-time workers—is an effective way of addressing these disparities without unduly saddling small businesses.

As long as people of color disproportionately lack access to paid family and medical leave (Council for a Strong America, 2023), we continue to overlook the manifestations of structural racism, which has been identified as a leading cause of health inequities. The creation of a federal paid family and medical leave policy would allow for more in-depth examination of potential areas of inequalities. For years, Hoosiers have openly shared their strong support for paid family and medical leave as a central value for equitable labor practices (see, for example, Indiana Commission for Women, 2018).

Reduced Health Care Costs

In Indiana, Medicaid, insurance, and/or other state and federal funds pay for the types of care family members can and do provide. Increasing the availability of family caregivers holds the potential to reduce health care costs in assisted living or other community-based settings, or an institutional skilled nursing care setting. AARP Public Policy Institute estimates that 790,000 unpaid Hoosier family caregivers are serving their loved ones of all ages. At a minimal rate of \$14.61 per hour, the 740 million hours of care they provide annually has an estimated value of \$10.8 billion (Reinhard et al., 2023). While not all family caregivers are serving Medicaid-eligible Hoosiers, there is the potential for even greater savings to the Medicaid program and other sources of state and federal funding by supporting the ability of family members to provide care. To the extent that paid leave also prevents poor birth outcomes and re-hospitalization across a range of medical issues, as discussed above, it holds the potential to realize significant cost savings to our health care systems.

Protecting Older Workers

Older workers are an increasing percentage of both the Indiana and national workforce. In December 2023, the Pew Research Center released a report that found “roughly one-in-five Americans ages 65 and older (19%) were employed in 2023 – nearly double the share of those who were working 35 years ago” (Pew Research Center et al., 2023). In the Indianapolis area, those 65 and older represent more than twenty-five percent (25%) of working adults (Chamber of Commerce, 2023).

While the demographics of the baby boomer generation has contributed to this increase in older working adults in the U.S., shifts in workplace adaptations that emerged due to the COVID-19 pandemic provided the ability for some older Americans to remain employed longer (Pit et al., 2021). Policies regarding financial support available in retirement have changed with a shift from defined benefit pension plans to tax advantaged personal retirement accounts alongside increases in the Social Security Retirement full retirement age (Estreucher & Gold, 2007; Social Security Administration, 2024). All of these factors contribute to the significant number of older working adults that exist within the United States and in the state of Indiana.

At the same time, older workers are more likely to have health conditions or family caregiving responsibilities that require additional workplace flexibility and support. Passing national paid family and medical leave can help older workers navigate the health challenges they or their loved ones are experiencing while remaining attached to the workforce.

For all of these reasons, we strongly support a national approach to paid family leave. We appreciate the opportunity to respond to the working group's questions.

1. What should the federal role be, if any, in providing, promoting, and/or incentivizing paid leave? And how should this interact with the role of state government programs, and/or employer programs?

The rapid expansion of state paid family and medical leave policies has shown that they are an effective and popular means of addressing a common need – to be able to take time off work to care for our loved ones and our own health. These states have a proven track record that can form the basis for a federal policy that ensures that *all* workers have access to this key workplace support, regardless of their state of residence. A federal policy will also be helpful for employers, especially given the rise of remote work and the complexities that ensuring compliance with multiple distinct state policies can cause employers. However, individual states or employers should retain the flexibility to go beyond a federal minimum to offer benefits that go above and beyond the federal plan.

2. What types of leave should a potential federal program cover, at what length, and why? How should different types of leave be prioritized? Should different types of leave be treated differently or does doing so create adverse effects?

We feel it is essential for a federal paid leave program to cover: the worker's own medical needs, the birth, adoption, or fostering of a new child, caregiving for family members with serious health needs, military, and domestic and sexual violence. Implementing a paid leave policy that provides paid time off for this range of health and care situations is important for minimizing disparities in access to paid family and medical leave. In the U.S., workers are more likely to report being able to take paid leave for illness or the birth of a new child than to care for children or elderly family members (Petts et al., 2022). Inequalities in access to paid family and medical leave also exist across a number of factors including education, income, marital status, race/ethnicity, age, and occupation. These disparities also exist in the state of Indiana; over half of workers report being able to take paid sick leave (53%), with much fewer workers being able to take time off to care for children (39%) or elderly family members (37%) (American Time Use Survey Leave Module Microdata Files, 2019). Given the growing need for eldercare and care for family members in addition to ongoing childcare needs, passing comprehensive paid family and medical leave is vital to ensure all U.S. workers have the ability to take time off for their family and personal medical needs and that current inequalities in access to paid leave be reduced.

3. Please describe your recommended framework/s, focusing on what you believe could be a bipartisan and passable solution/s to expanding paid leave nationally?

A federal paid family and medical leave policy could use current state-level policies as a starting point for identifying a passable solution to expanding paid leave nationally, especially given the success of many of these policies. Of note, the best state-level policies recognize the importance of ensuring an adequate wage replacement level that allows workers to meet basic needs while on leave; in practice, this means many states with these policies provide close to full income replacement up to a cap set around median income (A Better Balance, 2024).

Failure to provide adequate income replacement can actually exacerbate inequality by making it easier for more highly paid workers to take time off work while still failing to provide sufficient support to low-wage workers. This kind of structured policy would be especially important in Indiana where 30% of jobs pay less than \$18 an hour (Economic Policy Institute, 2023). To be effective, a policy should also ensure eligibility for part-time workers and that workers can accrue eligibility across multiple part-time jobs. If the paid leave program includes benefits for both personal medical needs and family care, birth mothers should be eligible for benefits for a period of medical recovery from childbirth that is separate from benefits for a time of bonding with a new child.

Leave for care of family members with serious health conditions should be structured to recognize the diversity of modern families. Workers should be able to receive paid leave to care for non-marital partners and extended family, including siblings, grandparents, grandchildren, in-laws, and others who have a relationship with the worker that is equivalent to a family relationship (Widiss, 2021b).

4. Please describe alternative ways any proposed framework can be financed, including possible payfors. What financial mechanisms should be considered to expand paid leave?

The state policies that have been implemented have demonstrated conclusively that paid leave can be quite affordable when costs are spread across the workforce or the general tax base (Bedard & Rossin-Slater, 2016). Using a tax-based financing system helps ensure that small businesses are not unduly burdened.

Additionally, any system in which individuals are expected to use their own Social Security or tax credits to finance paid leave will tend to disproportionately harm women, who are more likely to take parental leave and more likely to take caregiving leave for other family members with serious health conditions (The Council of Economic Advisers, 2014). The enduring pay gap means women already receive much smaller Social Security benefit payouts than men; funding a policy for paid leave through early access to Social Security benefits would exacerbate such inequities (American Association of University Women, 2022; Kochhar, 2023).

5. How can proposed paid leave frameworks avoid creating unintended distortions, such as marriage penalties, reductions of private sector paid leave coverage, etc.?

Providing equal leave to all parents (and encouraging all parents - including men - to use all of their leave) will likely promote gender equality and reduce the likelihood that paid leave is seen only as a policy for women, which would consequently exacerbate gender disparities in pay, workplace discrimination, and domestic labor (Kaufman, 2020). To promote equal use of leave and avoid marriage penalties, all parents should be entitled to the full amount of paid leave regardless of employer (in contrast to the current FMLA policy, which states married partners working for the same employer are limited to a combined total of 12 weeks for both workers). To avoid potential consequences for employers in these situations, the paid leave policy could stipulate that married partners who work for the same employer cannot take their leave concurrently. Enabling all married workers to use the full leave they are entitled to (i.e., no marriage penalties in the policy), extend the amount of paid leave available to married parents, and enable both parents to spend significant time at home with their new child in solo care - which helps to break down divisions of labor and promote greater egalitarianism (O'Brien & Wall, 2017).

It is essential that paid leave policies apply equitably to unmarried parents. Many children - including 43% of children in the State of Indiana (CDC, 2021c) - are born to unmarried mothers. Excluding unmarried parents from a paid leave policy would reduce the amount of time young children would have with their working parents and exacerbate inequalities by family structure. Instead, paid leave may provide important opportunities for unmarried parents to bond with their children and establish co-parenting routines that can promote positive child development. Indeed, where paternity has been established, evidence suggests that paternity leave is particularly likely to boost fathers' engagement and responsibility for children among nonresident (unmarried) fathers (Knoester, Petts, & Pragg, 2019; Pilkauskas & Schneider, 2020). For new children with just one legal parent (that is, an unmarried mother who gives birth where paternity is not established, or certain single-parent adoptions), the policy should be modified to ensure such solo-parent families have access to an equal amount of benefits as two-parent (married or unmarried) families (Widiss, 2021a).

It is unlikely that a federal policy would disincentivize private companies from offering (and funding) their own paid leave policies. Such policies are used as a recruitment tool to hire top talent by offering a more robust benefits package. These policies can also be used to top off wages such that workers receive full pay while on leave (i.e., paying for the difference between wage replacement of the public policy and the worker's full wages), or to allow workers to take a more extended leave than would be required under a federal policy. A federal program could include tax credits to businesses who have paid leave policies that exceed the federal floor to provide additional incentive to private companies for offering paid leave or take other measures to ensure that companies that offer paid leave receive "credit" for doing so.

6. Should government support for paid leave be focused only on the most vulnerable individuals in our society, or on all Americans regardless of means or need?

Everyone has needs related to their own health and caring for family members. Sustainably funded paid family and medical leave asks everyone to contribute, so all should benefit. However, federal policymakers may want to follow proven state policies that structure

benefits supporting the economic well-being of those on leave through replacement up to a cap around median wage.

7. What supports do small and mid-sized businesses need from the federal government to provide paid leave to workers?

A federal approach, which ensures a diversified risk pool and spreads the costs of providing benefits, helps make paid family and medical leave affordable. This will be particularly important for small businesses, however the financing is ultimately structured. In New York, small businesses report paid family leave having no adverse effects on employee performance or handling employee absences. In fact, evidence suggests that paid family leave has led to an increase in employee commitment and cooperation and made it easier for small businesses to handle employee absences (Bartel et al., 2023).

8. What does research say about the impact of providing paid leave on worker health, job satisfaction, economic mobility, child development, breastfeeding rates and related health outcomes, fertility rate, infant mortality, elderly health, public assistance levels, family income, and recruitment and retention efforts?

Above, we discuss the many evidence-based reasons to implement a systemic approach to paid family and medical leave.

9. What lessons should the federal government learn from successful or failed attempts at expanding paid leave in U.S. states or other countries?

States that have enacted comprehensive paid leave policies—which cover both part-time and full-time workers and which are funded through payroll taxes or the general tax base—have shown that paid leave policies can be affordable and effective.

In 2022 and 2023, several states authorized insurance companies to begin offering employer group policies that provide partial salary replacement for paid leave. It is too soon to know precisely how these policies will be structured. Still, existing experience with a privatized approach to short-term disability benefits suggests that low-wage, part-time and other vulnerable workers are far less likely to receive benefits under such discretionary programs. Additionally, a privatized insurance approach poses a significant risk of adverse selection, which can mean per-person premiums would be much higher than under a public system. A federal policy could be structured to complement such discretionary benefits, perhaps with a provision that exempts businesses that provide more generous benefits than those under a federal plan as being exempted in some way from federal requirements. However, it is likely that a federal approach—which by definition ensures a more diversified risk pool—will be a more cost-effective way of providing benefits (Widiss, 2023).

10. What other information would you like us to consider as we attempt to chart a bipartisan path forward?

We urge you to take time to hold listening sessions in states like Indiana, and we would be glad and grateful to host a town hall or other event to create this opportunity.

We gratefully acknowledge the efforts of the Time Matters - Indiana Coalition working group that prepared this comment:

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