



**National Education Association’s Response to the Bipartisan Request  
for Information on Paid Leave for All**  
*January 31, 2024*

Thank you for the opportunity to respond to this request for information for a bipartisan paid leave proposal. The National Education Association applauds the working group and its members for their leadership and for continuing to pursue solutions on this critical issue.

The National Education Association’s 3 million members include education support professionals (ESPs) who work in public schools and on public college campuses in 14,000 communities. They are paraeducators and the dedicated workers in skilled trades; clerical and technical services; custodial and maintenance services; food service; health and student services; security; and transportation service. Their work is often unheralded, but vital. Yet, across our nation, they are not only chronically underpaid, but many still lack paid time off to take care of themselves or their loved ones at crucial times, such as the birth of a child (even though in some instances, paid personal sick leave for ESPs is covered by state statute).

Education support professionals keep schools and campuses clean and in good repair, provide balanced and nutritious meals to students, transport them to school and extracurricular activities, attend to students who need additional support to thrive, and fulfill other key duties that set the stage for learning. They are dedicated to caring for other people’s children. But many ESPs are not eligible for employer-provided health care—or if they *are* eligible, they cannot afford their share of the premium, or can afford only single, as opposed to family, coverage. Moreover, some of the lowest-paid ESPs, such as those in food service or transportation do not qualify for job protections under the Family and Medical Leave Act because they cannot meet the annual 1,250-hour threshold.

And while education support professionals are particularly impacted by having minimal access to paid leave, teachers are often forced to return to the classroom before they are ready after childbirth because they lack paid parental leave. This means they must “cobble together sick days...and then supplement that with unpaid leave,” according to an *Education Week* report on [teacher salaries, pensions, and benefits](#).

Taken together, these issues create a mountain of challenges for all educators. They impact educator recruitment and retention as well, especially for the education support professionals earning less than a living wage in many communities. No one—least of all those who are helping to guide and nurture America’s students—should be forced to choose between their own health and their family’s care, and their paycheck.

We also note that the general public’s health is better protected when working people are able to utilize paid leave to stay home to care for their sick children, rather than sending them to schools where they may spread illnesses such as flu, COVID, and RSV to other children and school staff, who then spread illnesses to their families and communities. This cycle of illness and disruption can create an even greater need for leave for educators and parents.

Guaranteeing access to paid family and medical leave would benefit workers, employers, and our economy. Paid leave supports health, including improved infant and child development,<sup>1</sup> increased

breastfeeding rates,<sup>2</sup> reduced infant mortality,<sup>3</sup> improved maternal health,<sup>4</sup> better ability to manage and afford cancer treatment,<sup>5</sup> and reduced occupational injuries.<sup>6</sup> Paid leave also benefits businesses, from supporting recruitment,<sup>7</sup> to reducing turnover,<sup>8</sup> to increasing productivity.<sup>9</sup> Our lack of action on paid leave costs our economy nearly \$22.6 billion each year in lost wages alone.<sup>10</sup> According to the U.S. Department of Labor, if the United States had the labor force participation among women of economic peers Canada and Germany, supported by policies like paid leave, it would generate an additional \$775 billion per year in additional economic activity.<sup>11</sup> Simply put, we cannot afford to wait.

At the National Education Association, we believe that paid leave for all means that all workers, regardless of where they live or how they work, deserve a foundation of guaranteed paid leave. We urge lawmakers across all political leanings to come together around the common-sense conclusion that there is a strong federal role in providing paid leave and a strong case for public investments in doing so. Only the federal government can create a federal baseline policy that guarantees comprehensive paid leave rights to all American workers nationwide. Without a national program, there are substantial disparities in access, which have grown rather than decreased in recent years. Existing solutions based on where employees work or who they work for have not created access for all, and it is past time for the federal government to provide a basic level of benefits to all workers that states and employers can build upon if they so choose.

Paid leave should be a universal program guaranteed to all working people, just as Social Security is. All Americans will need paid leave at some point in their lives and deserve the peace of mind of knowing it will be there for them. Only through a universal program can we ensure fair and equitable access for workers.

Comprehensive paid leave enjoys strong, bipartisan support. For example, a recent poll in Arizona, Michigan, Nevada, North Carolina, Pennsylvania, Wisconsin, Georgia, Florida, and Ohio found that 85% of voters in these states supported comprehensive paid leave, including 96% of Democrats, 82% of Independents, and 76% of Republicans.<sup>12</sup> These results parallel years of bipartisan and nonpartisan national polling showing robust majorities of Americans of all parties support access to paid leave for all through a comprehensive federal paid leave program<sup>13</sup>.

***A strong federal program should build on time-tested state approaches.***

Federal solutions should heed the lessons learned from long-established state programs. States have provided paid leave for decades through a social insurance approach, delivering benefits that work for both workers and employers at an affordable cost. Moreover, some state programs passed on a bipartisan basis, underlining the strong support across the aisle for paid leave and the political feasibility of taking evidence-based action on a bipartisan basis. Even states that passed programs with support from only one political party have seen their programs continue when political winds shift, which is a testament to their value to working people, businesses, and the economy.

Like existing state programs, a federal paid leave program should provide a guaranteed, comprehensive benefit to all workers. This program should be administered through a federal agency with the expertise and support to deliver benefits fairly and efficiently. In contrast, to date, voluntary approaches have not meaningfully expanded access to paid leave.

***State leadership has demonstrated the policy parameters working families need.***

Years of experience at the state level have generated important policy best practices that should be reflected in a federal paid leave program, including:

- **Purposes:** A federal paid leave program should cover workers' own serious health conditions, parental bonding, caregiving for seriously ill loved ones, needs in relation to military deployment, and safe leave to address sexual and domestic violence.

- **Family definition:** A federal paid leave program should have an inclusive family definition, ensuring that workers can care for all those they consider family, including loved ones to whom they may not have a legal or biological relationship.
- **Wage replacement:** A federal paid leave program should ensure that the wage replacement rate (the percentage of their own income workers receive while on leave) is high enough that workers can afford to use the benefit, particularly for low-income workers.
- **Duration:** A federal paid leave program must guarantee at least twelve weeks of paid leave.
- **Job protection:** A federal paid leave program must protect workers' jobs, ensuring that they can return to work following leave and can use their rights without retaliation or interference.
- **Universal coverage:** A federal paid leave program must cover all workers, including employees and independent contractors, part-time and full-time workers, and public and private sector workers, regardless of industry or employer size, and regardless of what funding structure the program is based upon.

***High quality paid leave is an investment in businesses and in our economy.***

Small businesses need a public program to level the playing field, helping them compete with larger employers who can more easily afford to offer these benefits, which will often attract the best employees. A universal program keeps costs low and significantly reduces the administrative burden on employers of implementing a program, which small businesses particularly need. Just as they can at the state level, employers should always be able to provide more generous benefits than the federal minimum if they wish to, supplementing with more pay, more weeks, or more purposes. The law should provide a floor, not a ceiling.

Experience from state paid leave programs shows that once paid leave programs are implemented, most employers, including most small employers, support them.<sup>14</sup> That's because these programs offer businesses benefits like improved recruiting, retention, and productivity, at an affordable cost and in a structure that is easy for employers to implement.

***Funding must be sufficient and sustainable.***

There are many viable options for raising the funds to support a comprehensive paid leave program. Regardless of which option policymakers choose, a workable paid leave program requires sustainable, reliable long-term funding at a level sufficient to support the benefits workers need.

At the same time, a federal paid leave program should not reduce funding to other programs working families rely on. For example, paid leave should not be paid for by taking money out of Social Security, harming today's retirees and undermining retirement security for the future. Progress on paid leave means protections that complement existing supports, not false choices.

***We should continue learning from state innovation.***

States should be able to continue operating their own programs once federal paid leave is enacted and receive federal support to do so, so long as those programs meet robust federal standards. We should continue to take advantage of innovations at the state level in the future.

As we work toward a national program, the federal government can support states in their efforts. For example, the federal government could invest in electronic systems to facilitate better communication among state programs, helping them to share data and improve program integrity. This investment would benefit both employers and workers, as well as state administrators.

**Conclusion**

Thank you again for the opportunity to provide this information. We look forward to continuing to work with you to make paid leave a reality for all Americans. If you have any questions, please contact NEA federal lobbyist Christin Driscoll at [cdriscoll@nea.org](mailto:cdriscoll@nea.org).

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<sup>1</sup> Brito, N. H. et al. (2022). Paid maternal leave is associated with infant brain function at 3 months of age. *Child Development*, 93, 1030–1043. <https://doi.org/10.1111/cdev.13765>; Kozak, K. et al. (2021), Paid maternal leave is associated with better language and socioemotional outcomes during toddlerhood. *Infancy*, 26: 536-550. <https://doi.org/10.1111/infa.12399>.

<sup>2</sup> Pac J. et al., Paid family leave and parental investments in infant health: Evidence from California. *Econ Hum Biol.* 2023 Dec;51:101308. doi: 10.1016/j.ehb.2023.101308; Perry et al., Association Between State Paid Family and Medical Leave and Breastfeeding, Depression, and Postpartum Visits. *Obstetrics & Gynecology* 143(1):p 14-22, January 2024. | DOI: 10.1097/AOG.0000000000005428.

<sup>3</sup> Chen, F. (2023) Does paid family leave save infant lives? Evidence from California's paid family leave program. *Contemporary Economic Policy*, 41(2), 319–337. <https://doi.org/10.1111/coep.12589>; Heymann, J. et al. Creating and using new data sources to analyze the relationship between social policy and global health: the case of maternal leave. *Public Health Rep.* 2011 Sep-Oct;126 Suppl 3(Suppl 3):127-34. doi: 10.1177/00333549111260S317.

<sup>4</sup> Mandal, B. The Effect of Paid Leave on Maternal Mental Health. *Matern Child Health J* 22, 1470–1476 (2018). <https://doi.org/10.1007/s10995-018-2542-x>; Van Niel MS et al. The Impact of Paid Maternity Leave on the Mental and Physical Health of Mothers and Children: A Review of the Literature and Policy Implications. *Harv Rev Psychiatry.* 2020 Mar/Apr;28(2):113-126. doi: 10.1097/HRP.0000000000000246. PMID: 32134836.

<sup>5</sup> Public Opinion Strategies, “Key Findings—National Surveys of Cancer Patients, Survivors, and Caregivers,” (Dec. 2017) <https://www.fightcancer.org/sites/default/files/ACS%20CAN%20Paid%20Leave%20Surveys%20Key%20Findings%20Press%20Memo%20FINAL.pdf>.

<sup>6</sup> Asfaw A et al. Paid sick leave and nonfatal occupational injuries. *Am J Public Health.* 2012 Sep;102(9):e59-64. doi: 10.2105/AJPH.2011.300482. Epub 2012 Jun 21.

<sup>7</sup> Thea Garon et al., *Unpaid And Unprotected: How The Lack Of Paid Leave For Medical And Caregiving Purposes Impacts Financial Health* 5 (Sept. 2021), <https://www.nationalpartnership.org/our-work/resources/economic-justice/paid-leave/unpaid-and-unprotected-how-lack-paid-leave-impacts-financial-health.pdf>; Small Business for America’s Future, Paid Leave Policies on Main Street, <https://www.smallbusinessforamericasfuture.org/small-business-for-america-s-future-releases-paid-leave-survey-results>.

<sup>8</sup> *Paid Leave Pays Off: The Effects of Paid Family Leave on Firm Performance* (Nat’l Bureau of Econ. Rsch., Working Paper No. 27788, 2021), [https://www.nber.org/system/files/working\\_papers/w27788/w27788.pdf](https://www.nber.org/system/files/working_papers/w27788/w27788.pdf); *The Economic and Social Impacts of Paid Family Leave in California: Report for the California Employment Development Department*, (Oct. 13, 2016), [https://edd.ca.gov/siteassets/files/disability/pdf/PFL\\_Economic\\_and\\_Social\\_Impact\\_Study.pdf](https://edd.ca.gov/siteassets/files/disability/pdf/PFL_Economic_and_Social_Impact_Study.pdf); Select Subcommittee on the Coronavirus Crisis, House of Representatives, *America’s Pandemic Workforce: Persistent Structural Inequities Harm Workers & Threaten Future Crisis Response* (Oct. 2022), p. 41, <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2022.10.25%20Persistent%20Structural%20Inequities%20Harm%20Workers%20and%20Threaten%20Future%20Crisis%20Response.pdf>.

<sup>9</sup> Benjamin Bennett et al., *Paid Leave Pays Off: The Effects of Paid Family Leave on Firm Performance* (Nat’l Bureau of Econ. Rsch., Working Paper No. 27788, 2021), [https://www.nber.org/system/files/working\\_papers/w27788/w27788.pdf](https://www.nber.org/system/files/working_papers/w27788/w27788.pdf).

<sup>10</sup> Sarah Jane Glynn, *The Rising Cost of Inaction on Work-Family Policies*, Center for American Progress (2020), <https://www.americanprogress.org/article/rising-cost-inaction-work-family-policies/>.

<sup>11</sup> Sarah Jane Glynn, U.S. Department of Labor, *The Cost of Doing Nothing, 2023 Update: The Price We STILL Pay without Policies to Support Working Families* (Nov. 2023), <https://www.dol.gov/sites/dolgov/files/WB/paid-leave/CostofDoingNothing2023.pdf>.

<sup>12</sup> Eleanor Mueller and Olivia Olander, “Paid leave support up ahead of ’24,” *Politico*, November 27, 2023, <https://www.politico.com/newsletters/weekly-shift/2023/11/27/support-for-paid-leave-hits-historic-high-00128648#:~:text=Eighty%2Dfive%20percent%20of%20voters,Leave%20for%20All%20Action%20found>.

<sup>13</sup> See e.g., from years apart: Amanda Jacobson Snyder, “Majority of Democrats, Republicans Would Support Legislation to Ensure Paid Family Leave, Increased Child Care Funding,” *Morning Consult Pro*, August 1, 2022, <https://pro.morningconsult.com/instant-intel/child-care-tax-credit-paid-family-leave-policies-survey>; Perry Udem Research and Bellwether Research, Memo: New Survey Shows Voters Support a National Paid Family and Medical Leave Policy That Covers Everyone, September 10, 2018, <https://navigatorresearch.org/americans-overwhelmingly-support-paid-family-and-medical-leave/>.

<sup>14</sup> Zachary Campell *et al.*, *The Impact of Paid Leave: Evidence From Temporary Disability Insurance In Rhode Island* 30 (July 2017), <https://www.mathematica-mpr.com/-/media/internet/conferences/2017/drc-annual-meeting2017/summaries/hastings.pdf?la=en>; Ann P. Bartel *et al.*, *Support for Paid Family Leave among Small Employers Increases during the COVID-19 Pandemic* (Dec. 2021), Socius: Sociological Research for a Dynamic World, <https://journals.sagepub.com/doi/full/10.1177/23780231211061959>; Ann P. Bartel *et al.*, *The Impact of Paid Family Leave on Employers: Evidence from New York* (Nat’l Bureau of Econ. Rsch., Working Paper No. 28672, 2021), p.3, [https://www.nber.org/system/files/working\\_papers/w28672/w28672.pdf](https://www.nber.org/system/files/working_papers/w28672/w28672.pdf).