
BILL NO: Senate Bill 539
TITLE: Labor and Employment – Family and Medical Leave Insurance Program –
Establishment (Time to Care Act)
COMMITTEE: Senate Finance Committee
HEARING DATE: February 27 , 2020
POSITION: **SUPPORT**

The Women’s Law Center of Maryland is dedicated to ensuring the physical safety, *the economic security*, and the autonomy of women throughout the State. One way we work towards this goal is by supporting systemic changes to our current economic policies and practices that disproportionately affect women. Senate Bill 539 would establish the Family and Medical Leave Insurance Program. The bill’s purpose is to provide income replacement during what would otherwise be unpaid leave taken under the Family and Medical Leave Act or otherwise for employees not entitled to benefits under that act. The bill would provide a continuity of income for persons needing to take time off to care for themselves, for a family member with a serious health condition, or for a newborn or newly placed adopted or foster child, or to take time needed for enumerated reasons related to a relative being deployed by the armed services.

This bill would create a structure for income replacement benefits similar to the well-established unemployment benefit system. It would contribute to the financial stability of Maryland workers and families, and because it spreads the risk of paying such benefits among all employers, it would tend to reduce discrimination against employees who themselves are, or who have family members who are, disabled, ill, injured, pregnant, or in the military. Additionally, the bill includes safeguards for employers, such as requiring proper documentation, prohibiting “stacking” of leave with FMLA leave, and providing an exemption for employers offering equal or greater benefits.

The Women’s Law Center supports SB 539 because it furthers the purposes of the FMLA and the state laws extending similar protections, including the more recently enacted Pregnancy Leave Act. Many employees have been assisted by the passage of laws allowing them to take leave to care for their own or a close family member’s serious health condition, or to care for a new child, without losing their job. Yet the ability to take leave is often accompanied by a reduction or elimination of the employee’s regular wages. This is of particular concern to the Women’s Law Center as women continue to be the primary caregivers for children and family members. Yet at the same time, the number of women entering the workforce has continued to grow. Unfortunately, while women now make up nearly half the workforce, and two-thirds of Maryland families have women as the sole, primary, or co-breadwinner, women are disproportionately represented in low-wage jobs. Indeed, while only 18% of workers in general are covered by paid leave, that number is reduced to 6% for low wage workers – the workers who can least afford to go without a paycheck. As such, it should not be surprising that 15% of working women who have a child without paid leave end up on public assistance. But this legislation would benefit the workforce as a whole, as women with paid leave are 70% more likely to return to work, thus saving employers time and money that would otherwise need to be spent on recruiting, hiring, and training new staff.

Senate Bill 539 is a reasonable and modest effort that demonstrates Maryland’s commitment to working families by helping to protect their health, stability and wellbeing. Therefore, the Women’s Law Center urges a favorable report on SB539.