



Family Medical Leave Act: The Impacts on Family Relationships

Jaycie J. Case, B.S. & Jennifer Newquist, Ph.D., Human Development & Family Studies,
Stephen F. Austin State University

Abstract

The Family and Medical Leave Act (FMLA) authorizes eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons (H.R. 1, 1993). This policy allows for a total of 12-weeks of leave within a 12-month period. While this may be sufficient in terms of time off, it is still unpaid. Compared to other nations, the United States still lags behind on providing benefits and protections for employees who have taken on the role of care taker (Arellano, 2015). This white paper will explain how employees benefit from paid maternity/paternity and family medical leave.

Introduction

The Family and Medical Leave Act (FMLA) was enacted in 1993. This policy authorizes qualified employees of covered employers to take unpaid, job-protected leave for designated family and medical reasons. Employees who take this leave are provided continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave (H.R. 1, 1993). U.S. employers who employ 50 or more employees are required to allow up to 12 weeks of leave for individuals needing to take time off for instances such as care for a newborn or an ill family member. This benefit can only be utilized by employees who have been in the workplace for at least 12 months and have worked at least 1,250 hours in that year (H.R. 1, 1993). Even though most employers are required to allow leave, the United States still is lacking in comparison to other nations on providing benefits and protections for employees who have assumed the role of care taker (Arellano, 2015).

Recommendation for Changes

While FMLA is a very useful benefit for the employee, it can have negative financial consequences. When individuals use FMLA, they have the ability to take care of their current family responsibility outside of the workplace, however unfortunately this is done without pay. In one study, 55.8% of individuals who took FMLA reported worrying about not having enough money to pay the bills (Waldfoegel, 2000). Therefore, individuals, usually single or lower-income parents, choose not to take time off whatsoever (Wisendale, 2006). Some employees that take this leave are those who are having a newborn/newly adopted child enter their lives. This is a prime example of how FMLA can be negative. Therefore, FMLA should be a paid portion of benefits that employees receive when granted this time off.

Rebuttal of Opposing Viewpoints

While many agree that FMLA should be paid leave, there are also those, typically, employers, who see the idea of paid leave as a burden more than anything. Employers see FMLA as just an extra outlet of unpaid leave (Selmi, 1999). An employer is faced with many challenges in the work place, this seems to be one that has remained a very daunting one. Implementing FMLA would mean that when employees take leave, employers would probably experience some disruption in the workplace. Along with the potential burden of disruption from the employee on leave, the employer may also experience dissatisfaction with the additional taxes and financial impacts, both federal and state. When it comes to the financial side of business, employers tend to stray away from adding more financial burdens on their end to ensure benefits are available for their employees. In fact, they do so much to refrain from this, they go as far as decreasing the employee's hours to avoid the potential earning on benefits (Boots, Martinson, and Danzinger, 2009). It is very clear the reasons employers have for not supporting the implementation of paid FMLA. It would create some very significant changes not only to the workplace but also their financial budget as a whole (Holzer, 2017).

Literature Supportive of Arguments

In comparison with those who feel as if paid leave is a negative addition to FMLA, there are more positive aspects that accompany this portion of the policy. In today's society, there are more adult children becoming caretakers than ever before. With this, "... financial expenditures of adult children providing informal care for aging parents represent an increasing economic burden in the United States (Gimm and Yang, 2016, p.215)." This is just one example that supports the argument for paid leave. When employees are having to take time off to care for those who are ill, they typically have to help with the financial aspect as well. When they have no other choice but to be a caretaker during their period of leave, they without a doubt are in need of a consistent paycheck. Another example of an argument for paid leave, is when individuals are unable to continue the crucial bond need for a strong parent-to-infant relationship. Typically, people would associate this statement with strictly the mothers. In fact, both mothers and fathers benefit from the forging of a bond with the child. When parents have to make the choice to stay at home with their new and growing family, they could potentially drive their entire life into one of poverty (Rowe-Finkbeiner, et al., 2016). This is yet another reason why paid leave should be of the utmost importance when looking at public policies and making changes. Lastly, when looking at the few states that do participate in the paid leave, some positive outcomes are associated. Employees experience more quality time with families, additional income, and a more family-oriented workplace (Oncken, 2013).

Conclusion and Discussion

In conclusion, it is very well noted that paid leave offers so many more benefits than unpaid leave. While unpaid leave is beneficial in certain aspects of having time off, it does not carry through in truly providing for the individual on leave. The benefits from paid leave impact on a broader scale. This scale includes: the elderly, newborns, newly adopted children, etc. Having paid leave offers these employees to make a lasting impact towards the person they are taking leave for. Whether it be a mother/father taking leave, so they can bond and take care of their newborn, or an adult child taking leave to care for their ill parent who is in need of assistance, paid leave allows for them to do so without the worry of poverty.