

The Importance of a National Right to Paid Family and Medical Leave for Young Workers of Color

The United States remains one of the only countries in the world that does not guarantee workers a right to paid family and medical leave, and is one of only two countries without a national paid parental leave benefit of any kind.¹ The most common reason workers cite for not taking the unpaid leave available under the federal Family and Medical Leave Act is that they cannot afford it.² Without access to paid family and medical leave, workers are forced to choose between their job and caring for their health and the health of their family members, and can be forced into a downward cycle of poverty following a major medical event. This is a problem especially affecting young workers of color aged 16 to 24, who are more likely to hold low-paying jobs without this critical benefit.

Youth of Color Disproportionately Lack Access to Paid Family and Medical Leave

- Nationwide, about 60% of private sector workers lack the short-term disability insurance needed to take time off when one must address a serious health concern.³ The lowest-wage workers are least likely to have this benefit: more than 80% of workers in the bottom quarter of earners, and more than 90% of workers in the bottom tenth lack access to short-term disability insurance.⁴
- Only 23% of workers across the country have access to paid family leave.⁵ As with paid medical leave, that number is similarly lower among the lowest-wage workers: only 8% of the bottom tenth of workers, and only 13% of the bottom quarter of workers, can take paid family leave.⁶
- Young women aged 18-34, regardless of wages, report the lowest rates of access (45%) to paid leave for the birth or adoption of a new child.⁷ This is despite their being the most likely group to give birth to a new child.⁸
- Young adults aged 18-34 also have lower rates of access to leave for their own illness or medical care, and for the illness or medical care of a family member: about 57% report having medical leave for personal needs, and about 43% report having leave for a family member's care.⁹
- At the same time, Black and Latine workers are more likely to be in low-wage positions.¹⁰ The lowest paid quarter of the workforce is majority Black and Latine.¹¹
- Black and Latine workers are also the groups with the lowest rates of access to paid family and medical leave.¹²
- Workers of color are also less likely than other groups to take unpaid family and medical leave because of financial duress.¹³
- Black and Latine workers aged 16-24 are more likely to be underemployed than both their white counterparts and older adults; this includes those who are involuntarily working part-time and would prefer full-time employment.¹⁴

Youth of Color Would Especially Benefit from Access to Paid Family and Medical Leave Due to their Family Structures and Caregiving Responsibilities

- Guaranteed access to paid family and medical leave would provide young workers of color much-needed support and flexibility to handle personal illness or family health emergency,

thus reducing barriers to entering and remaining in the workforce and providing greater economic security to young workers of color.

- Young women are the group most likely to give birth, exhibiting a clear need for paid family and medical leave.¹⁵
- More than 25% of youth aged 16-24 who are neither working nor in school reported that they could not do so because of child rearing and home responsibilities.¹⁶
- Moreover, young adults are a large portion of caregivers: there are over 3 million Gen Z caregivers, meaning caregivers born between 1997 and 2012.¹⁷
- Youth of color are also more likely to live in diverse family structures, meaning they are especially in need of paid family and medical leave laws that recognize those family structures so they can care for their loved ones:
 - Black, Latine, and Asian and Pacific Islander young adults are more likely to live with extended families that may include grandparents, aunts and uncles, cousins, as well as their parents and siblings.¹⁸
 - LGBTQ youth of color especially are also disproportionately likely to live in chosen families, often due to stigma within their families of origin.¹⁹

The U.S. Needs a National Right to Paid Family and Medical Leave that Also Serves Youth of Color

- The FAMILY Act, a bill that would establish a national paid family and medical leave program, has been introduced repeatedly in Congress, but never passed.
- The bill would provide at least 12 weeks of protected paid family and medical leave to bond with a new child, care for a seriously ill loved one, or care for oneself.²⁰
- Currently, only 13 states and Washington, D.C. have laws guaranteeing paid family and medical leave to covered workers.²¹ It is critical we enshrine a nationwide right to paid family and medical leave that reflects several key principles that would particularly benefit young people of color.
- A national paid family and medical leave program must contain:
 - Universal coverage: Especially given that young people of color disproportionately work part-time and in low-income positions that are unlikely to provide paid family and medical leave, it is critical a national law have expansive coverage to account for these oft-overlooked workers.
 - An inclusive family definition: Because young people of color are more likely to live in diverse family arrangements, and need to care for a variety of family members, any law serving young people of color must reflect this reality.
 - Strong employment protections: Behind being unable to afford unpaid leave under the federal Family and Medical Leave Act (FMLA), the second most common reason workers cite for not taking FMLA leave is fear of losing their job²²—it is critical that young workers of color can rest assured that they will be able to return to work after taking leave.
- Paid leave is still out of reach for many of the workers who need it most. A national right is necessary to guarantee that everyone, and especially young workers of color, have the tools they need to protect their health and that of their family, as well as their economic security.

¹ A Better Balance, The U.S. Needs Paid Family and Medical Leave, (May 2022), <https://www.abetterbalance.org/resources/the-u-s-needs-paid-family-and-medical-leave/>.

² U.S. Bureau of Labor Statistics, Racial and Ethnic Disparities in Access to and Use of Paid Family and Medical Leave: Evidence from Four Nationally Representative Datasets, (Jan. 2019), <https://www.bls.gov/opub/mlr/2019/article/racial-and-ethnic-disparities-in-access-to-and-use-of-paid-family-and-medical-leave.htm>.

³ A Better Balance, The U.S. Needs Paid Family and Medical Leave, citing National Compensation Survey: Employee Benefits in the United States, March 2021, U.S. Bureau of Labor Statistics, Table 17 (2021), <https://www.bls.gov/ncs/ebs/benefits/2021/employee-benefits-in-the-united-states-march-2021.pdf>.

⁴ *Id.*

⁵ National Compensation Survey: Employee Benefits in the United States, Mar. 2021, U.S. Bureau of Labor Statistics, Table 33 (2021), <https://www.bls.gov/ncs/ebs/benefits/2021/employee-benefits-in-the-united-states-march-2021.pdf>.

⁶ Bureau of Labor Statistics, Percentage of Civilian Workers with Access to Paid Leave by Wage Category, <https://www.bls.gov/charts/employee-benefits/percent-access-paid-leave-by-wage.htm>.

⁷ Chantel Boyens et al., Urban Institute, Access to Paid Leave is Lowest Among Workers with the Greatest Needs, (July 2022), <https://www.urban.org/research/publication/access-paid-leave-lowest-among-workers-greatest-needs>.

⁸ *Id.*

⁹ *Id.*

¹⁰ Sarah Jane Glynn and Jane Farrell, Center for American Progress, Latinos Least Likely to Have Paid Leave or Workplace Flexibility, (Nov. 2012), https://cdn.americanprogress.org/wp-content/uploads/2012/11/GlynnLatinosPaidLeave1.pdf?_ga=2.207541971.1314585480.1692036280-444735732.1684431125.

¹¹ The American Civil Liberties Union, Why the Fight for Paid Sick Leave is a Civil Rights Issue, (Aug. 2020), <https://www.aclu.org/news/racial-justice/why-the-fight-for-paid-sick-leave-is-a-civil-rights-issue>.

¹² Boyens et al., Urban Institute, Access to Paid Leave is Lowest Among Workers with the Greatest Needs.

¹³ U.S. Bureau of Labor Statistics, Racial and Ethnic Disparities in Access to and Use of Paid Family and Medical Leave: Evidence from Four Nationally Representative Datasets.

¹⁴ A Better Balance, Sick Without A Safety Net, (May 2023), <https://www.abetterbalance.org/wp-content/uploads/2023/05/Healthy-Families-Act-May-2023-Update-Final.pdf>.

¹⁵ Boyens et al., Urban Institute, Access to Paid Leave is Lowest Among Workers with the Greatest Needs.

¹⁶ Kristen Lewis, A Decade Undone, Youth Disconnection in the Age of Coronavirus, pg. 9, Measure of America, 2020, <https://src-static.s3.amazonaws.com/mao/ADecadeUndone.pdf>.

¹⁷ A Better Balance, Sick Without A Safety Net.

¹⁸ Michela Zonta, Center for American Progress, Housing the Extended Family, (Oct. 2016) <https://www.americanprogress.org/wp-content/uploads/sites/2/2016/10/ExtendedFamilies-report.pdf>.

¹⁹ Moira Bowman et al., Center for American Progress, Making Paid Leave Work for Every Family, (Dec. 2016), <https://www.americanprogress.org/article/making-paid-leave-work-for-every-family/>.

²⁰ For more information, see A Better Balance, *The FAMILY Act*, <https://www.abetterbalance.org/resources/the-family-act/> (last accessed Aug. 21, 2023).

²¹ A Better Balance, Comparative Chart of Paid Family and Medical Leave Laws in the United States, (July 11, 2023), <https://www.abetterbalance.org/resources/paid-family-leave-laws-chart/>.

²² Scott Brown et al., Employee and Worksite Perspectives of the Family and Medical Leave Act: Results from the 2018 Surveys, at iv (July 2020), https://www.abtassociates.com/files/Projects/PDFs/2020/whd_fmlla2018surveyresults_finalreport_aug2020.pdf.