

## At a Glance: The Family and Medical Insurance Leave Act

**Only 1 in 4 employees in the U.S. have access to paid family leave through their employers. The federal Family and Medical Leave Act (FMLA), which provides *unpaid* family and medical leave, excludes roughly 44% of Americans. Even among those who do qualify for FMLA leave, many cannot afford to take unpaid time off. The Family and Medical Insurance Leave (FAMILY) Act would enable workers to take up to 12 weeks of paid time off from work to recover from a serious illness, bond with a new child, care for a seriously ill family member, address certain military family needs, or address certain needs related to domestic violence, sexual assault, stalking, or other qualifying acts of violence.**

- **Paid family leave is good for workers and their families.** The FAMILY Act would enable workers to take necessary time off to care for themselves and their families without undue financial burden.
- **Paid family leave is good for businesses.** Access to paid family leave improves employee morale and retention. The FAMILY Act would also level the playing field for small businesses by providing a benefit often offered only to employees of large companies.
- **The FAMILY Act would provide workers with up to 12 weeks of paid family and medical leave per year.** Workers would be eligible for benefits following the birth of a child or placement of a child for adoption or foster care; to recover from the worker's own serious health condition; to address certain military family situations; to address certain needs related to domestic violence, sexual assault, stalking, or certain other acts of violence; and to care for a seriously ill family member. "Family member" is broadly defined to reflect diverse family arrangements.
- **Workers would receive a percentage of their income on a sliding scale,** up to a cap, adjusted annually according to a formula based on the national average wage index. Workers will receive the sum of:
  - 85% of monthly income below \$1,257
  - 69% of monthly income between \$1,257 and \$3,500
  - 50% of monthly income between \$3,500 and \$6,200The minimum monthly benefit in the first year is \$580 and the maximum monthly benefit is \$4,000.

- **Workers would be covered regardless of the size of their employer.** The FAMILY Act covers all workers, including part-time, seasonal, and self-employed workers, who have earned any income from work (or unemployment benefits) during a specified several-month period prior to their application and have earned at least \$2,000 (in the first year, to be adjusted annually according to a formula based on the national average wage index) in a designated two-year period.
- **The FAMILY Act would be administered by the Social Security Administration (SSA).** The FAMILY Act would establish a new Office of Paid Family and Medical Leave as part of the SSA.
- **Workers would be protected from discrimination for taking benefits and have the right to return to their job following leave.** The FAMILY Act prohibits an employer from discharging or otherwise discriminating against a worker for applying for, indicating intent to apply for, or receiving benefits and, for those who have been employed with their employer for at least 90 days, guarantees the right to get their jobs back after taking leave.