

Understanding the Revised DC Paid Leave Bill

The DC Paid Family Leave Coalition believes that the revised bill provides a solid, usable policy for new parents and caregivers. However, it completely eliminates medical leave coverage, undermining the well-being of enormous numbers of people in dire medical and financial situations.

Issue	Original Bill, October 2015	Discussion Draft, February 2016	Revised Bill, November 2016	Comments
Length of leave	16 weeks annually	12 weeks annually	11 weeks for a new child (parental leave), 8 weeks for family caregiving ZERO personal medical leave	The 11 week benefit for new parents (available equally to all new moms, dads, and adoptive/foster parents) and 8 week benefit for family caregivers, while lower than we hoped, represent landmarks in the nationwide movement for paid leave. We strongly object to eliminating medical leave and hope the Council will restore this needed coverage.
Wage replacement	100% average weekly pay up to \$1000, 50% after, up to a cap of \$3000/week	90% of average weekly pay up to 2x minimum wage (about \$840), 50% after, up to cap of \$1500/week	90% of average weekly pay up to 1.5x the minimum wage (about \$810), 50% top off after, up to cap of \$1000/week.	This progressive pay rate, where the lowest-paid people get the highest proportion of their pay replaced, is important for keeping our most struggling families afloat. We expect the fund to develop a surplus over time and encourage the Council to raise the payout cap at that time (rather than cut tax rates.)
Employment rights	Job protection after 6 months Not required to use sick or vacation leave	Job protection only after 12 months Required to spend down DC accrued sick leave	Job protection only after 12 months (DC FMLA unchanged) No requirement to spend down any form of accrued leave	Under this plan, people will be able to take paid family leave when they need it. You must hold your job for 12 months to have the right to your old job back, representing no change to the DC Family Medical Leave Act which applies to unpaid leave. We appreciate the revision that accrued sick or vacation leave need not be spent down before applying to this program.
Who is eligible?	Everyone who lives or works in the District	Only people who work for private employers in DC.	People who work for private employers in the District. Self-employed residents may opt in.	We believe it is in the city's best interest, and our businesses' best interests, to enable all residents <i>and</i> all workers to benefit from this program. However we understand there are practical challenges to covering all residents and are pleased to see universal coverage maintained for DC's private sector workforce. We urge our leaders to work together to extend coverage to currently excluded residents down the line.
Definition of "family"	Broadly inclusive	Only minor children, spouses, and domestic partners.	All children, spouses, domestic partners, parents, grandparents, guardians. No siblings, aunts, uncles, family of choice.	This definition includes most of the loved ones we feel responsible for and need to take care of. We encourage the Council to include coverage for a few additional categories, especially siblings and family of choice, which is particularly important for single and LGBTQ workers.
Medical and other conditions covered	Broad: mental health, end of life, family care, parental leave	Very narrow: no mental health, seems to exclude end of life care, outpatient care.	No personal medical leaves. Caregiving leave covers a loved one's illness, injury, mental health condition, terminal care, and other serious conditions.	As the bill is written, a person could take paid leave to care for her partner with a broken leg – but not be eligible for paid leave if her own leg was broken. This undermines a key purpose of universal paid leave benefits – to protect individuals who experience health crises from economic distress. We are pleased to see mental health coverage restored.
Tax rate	1%	1%	0.62%	This bill shortchanges working families by slashing medical leaves – in order to lower an already very low tax. A 1% tax can cover desperately needed medical leaves, and is well worth the cost.