



**Testimony of Ricardo Lujan-Valerio, Policy Associate
In Support of HB 2005 – The FAMLI Equity Act, with the -3 Amendments
House Committee on Rules
June 11, 2019**

Chair Holvey and Members of the Committee:

The American Civil Liberties Union of Oregon¹ supports HB 2005, The FAMLI Equity Act, with the -3 amendments. This bill would create a family and medical leave insurance program to provide an eligible employee with a portion of wages while the employee is on family and medical leave or military family leave.

The ACLU of Oregon supports this bill as a crucial civil rights issue. Paid family leave is one of the highest priorities of the ACLU's national Women's Rights Project, because of the disproportionate impact unpaid leave has on women and mothers. Paid family leave is also crucial for low-income communities, communities of color, and individuals with disabilities, who disproportionately lack access to employment and financial security in times of emergency. At its core, this is about creating equitable systems that ensure that *all* members of our community can fully participate in and benefit from Oregon's economy.

There is no federal or state law entitling workers to paid family and medical leave.

The only federal leave law is the Family and Medical Leave Act (FMLA), which requires employers with 50 or more employees, to provide 12 weeks of *unpaid*, job-protected leave to care for a new child (by birth or adoption), one's own serious medical condition or a serious medical condition of a close family member, which is narrowly defined. HB 2005-3 would ensure that employees receive a sustainable income for up to 12 weeks of family and medical leave. By adopting The FAMLI Equity Act, the state would widen their lens to recognize families beyond the federal definition and address the harsh reality many Oregonians face when seeking unpaid leave.

Unpaid family and medical leave unfairly affects low-income Oregonians. Due to eligibility requirements, only about 60 percent of workers are covered by the FMLA. Additionally, only about half of those who are eligible for FMLA leave can afford to take

¹ The American Civil Liberties Union of Oregon (ACLU of Oregon) is a nonpartisan, nonprofit organization dedicated to preservation and enhancement of civil liberties and civil rights, with more than 45,000 members and supporters statewide.

unpaid time off. As for voluntary paid leave programs by employers, only about 16 percent of private sector workers have access to designated paid family leave through an employer's paid leave policy that can be used to care for a new child or ill loved one; only 40 percent have personal medical leave through an employer's temporary disability insurance plan. HB 2005-3 would set up a system that would ensure participation from both employee and employer.

Paid family and medical leave are critically important for Oregonian parents and families. The FMLI Equity Act ensures that pregnant workers and parents do not have to sacrifice their jobs or their financial security to either give birth or take care of a sick child or other loved ones. Furthermore, many parental leave policies discriminate against fathers or "secondary caregivers," providing vastly less time off than is provided for mothers or "primary caregivers." HB 2005-3 is a policy shifting employment practices toward the right direction.

The momentum to pass this critical protection for employees in Oregon continues to grow. Oregonians from all parts of the state care about affording employees the ability to care for their loved ones – regardless of economic background.

For these reasons, the ACLU of Oregon urges you to support HB 2005 with the -3 amendments. Please feel free to contact us if you have any questions, comments, or concerns.