

**TESTIMONY OF MAINE EMPLOYMENT LAWYERS ASSOCIATION
IN SUPPORT OF LD 1964
“AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMISSION
TO DEVELOP A PAID FAMILY AND MEDICAL LEAVE BENEFITS PROGRAM”**

My name is Jeffrey Neil Young. I am an attorney with Solidarity Law and practice in Cumberland, Maine. I serve as an executive Board member of the National Employment Lawyers Association (NELA), and vice-president of the Maine Employment Lawyers Association (MELA). NELA is the largest organization of civil rights lawyers in the country with about 4,000 national and affiliate attorney members. MELA is the largest organization of civil rights lawyers in Maine with about 75 member attorneys who represent employees in labor and employment matters across the state as at least 66.66% of their practice. I have been practicing labor and employment law for over 40 years, the last 35 years here in Maine.

MELA supports the enactment of LD 1964, “An Act To Implement The Recommendations Of The Commission To Develop A Paid Family And Medical Leave Benefits Program.” A paid family leave bill is desperately needed for working parents. According to the Bureau of Labor Statistics 2022 report, in families with parents who are married, 65% of both parents work. <https://www.bls.gov/news.release/pdf/famee.pdf>. 85.7% of families with single fathers and 75% of those with single mothers work. <https://www.bls.gov/news.release/pdf/famee.pdf>

Some 75% of American workers lack any paid family leave. <https://www.bls.gov/ncs/ebs/benefits/2022/home.htm>. 57% of all American workers have no short-term disability coverage, and only 10% of the lowest 10% of wage earners. <https://www.americanprogress.org/article/the-state-of-paid-family-and-medical-leave-in-the-u-s-in-2023/#:~:text=Regarding%20paid%20family%20leave%2C%20the,access%20to%20paid%20family%20leave>. The United States is the only industrialized country in the world that does not provide paid family leave. https://en.wikipedia.org/wiki/Parental_leave#:~:text=The%20United%20States%2C%20Papua%20New,time%20off%20for%20new%20parents.

Contrary to claims advanced by some members of the business community, paid family leave will help, not harm, Maine’s economy. Already, three of our sister New England states—Rhode Island, Connecticut, and Massachusetts—provide for paid family leave. So too do five other eastern and mid-Atlantic states, including New Jersey, New York, Delaware, Maryland, and the District of Columbia, in addition to California, Oregon, Washington, and Colorado. <https://www.abetterbalance.org/resources/paid-family-leave-laws-chart/> To attract

workers, it is critical that we have a family-friendly environment. If Maine is going to compete with our neighbors for scarce workers, we need to provide benefits like paid family and medical leave that rapidly are becoming commonplace elsewhere.

In all those states, save Rhode Island, Connecticut, and California, the employer either pays 100% of the premium or contributions are made by both the employer and the employee. To compete, we cannot and should not expect workers to bear the entire burden of the cost of paid family and medical leave. LD 1964 appropriately requires that the cost of the program be shared equally by management and labor, while exempting small employers.

Let me give you a personal anecdote why paid family and medical leave is so desperately needed. As I said, my practice is limited to the representation of employees. Perhaps the most common question I get is from employees who suffer an illness or injury preventing them from working for a period of time and want to know what their legal rights are. This requires an understanding of the Americans with Disabilities Act, the Maine Human Rights Act, state and federal Family Medical Leave Acts, unemployment, as well as if applicable workers' compensation, short term and long-term disability programs, and Social Security.

Just yesterday, a woman who had worked as a teller for 13 years for a savings and loan contacted me about what her rights were as her employer was about to terminate her because her doctor had not released her to return to work yet following back surgery. As you may know, bank tellers are relatively low-income wage earners. Because she could not work at all, she was ineligible for unemployment. There was no short-term disability plan. She probably did not qualify for any other legal protections. Thus, my prospective client had gone 12 weeks without pay and as a result was having trouble making ends meet. Now she is faced with the loss of her job, exacerbating her situation. Were LD 1964 passed, while it would not have protected her from the loss of her job, at least she would have had compensation for 12 weeks that would put her in better financial position to withstand this crisis.

The time has come to join the rest of the industrialized world and provide paid leave. MELA urges you to pass LD 1964.

Thank you for your consideration.