



Senator Matthea Daughtry
Assistant Majority Leader
3 State House Station
Augusta, ME 04333-0003
(207) 287-1515

Mattie.Daughtry@legislature.maine.gov

Introducing LD 1559, “Resolve, To Create the Commission To Develop a Paid Family and Medical Leave Benefits Program”

Joint Standing Committee on Labor and Housing

May 7, 2021

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Senator Hickman, Representative Sylvester and distinguished members of the Joint Standing Committee on Labor and Housing. I am Senator Mattie Daughtry and I represent Senate District 24, which is Bailey Island, Brunswick, Freeport, Harpswell, North Yarmouth, Orr's Island, Pownal, South Freeport, and South Harpswell. I am pleased to introduce LD 1559, “Resolve, To Create the Commission To Develop a Paid Family and Medical Leave Benefits Program.”

Imagine you are sick, and really need to stay home, but you cannot afford to lose a day of pay. So, you drag yourself to work and make matters worse by prolonging your recovery and infecting your co-workers. Imagine your child or an elderly parent is sick, and you need to stay home to care for them but again, you cannot afford to miss a day's work. Or maybe it is a cheerful event, like the birth or adoption of a new child and you must choose between bonding with the newborn or bringing home a paycheck. Giving up hours of work, let alone several days or weeks without pay can look like giving up co-pays, a car payment, trips to the grocery store, and inability to pay rent or heat. No one should be forced to choose between financial security and personal and family wellness. We need to find a way to best implement Paid Family Medical Leave to ensure Mainers aren't faced with these painful and burdensome decisions.

The COVID-19 pandemic has highlighted deep inequities throughout our society and placed a heavy burden on “essential workers” and small businesses as they desperately try to stay afloat. Every single one of us has struggled with the balancing act that has become our lives over the last 14 months. Parents have had to juggle taking time off to help their children with remote learning when schools and daycares were shuttered. Businesses have lost vital employees who needed to take time to be able to care for a loved one, a child, or themselves. And tragically many Mainers who contracted this disease have had to deal with the ramifications not only of this illness but the lack of paid time off. COVID-19 has highlighted what we all know: PFML will be good for Maine, its businesses and its employees, and will reduce financial insecurity.

PFML has been an issue near and dear to me since I was first elected many years ago and this is my fourth time presenting a bill for a paid family medical leave program. This year, I am proposing a different path to move our state forward to this goal. LD 1559 would create a commission to study and propose a comprehensive paid family medical leave program for Maine. The commission will hear from workers, employers, caregivers, and experts, and will propose a system to support all workers, families, and employers in Maine. This commission would craft a system that best fits Maine’s needs and demographics.

The United States is the only one of the developed countries of the world without paid family medical leave. While there are proposals at the federal level to implement paid family medical leave, we all know how slow things move in Washington. We cannot afford to wait for the federal government to act. Currently, California, Rhode Island, Washington, New Jersey, Connecticut, New York, the District of Columbia, and Massachusetts all have paid family medical leave programs with Colorado in the process of enacting one. Maine could join other states in supporting working families and small businesses.

Paid leave has benefits for employees:

85 percent of workers nationally must choose between taking care of their health and losing income. It improves the health of employees by enabling them to take the time they need to heal when sick and have time to seek preventative care.

Paid leave has benefits for employers:

Paid leave increases worker productivity, and they tend to have fewer days away from work. It increases worker retention, with studies showing that it can reduce turnover by up to 50 percent. Enabling employees to stay home when sick reduces the amount of workplace contagion. In 2018, 56.9% of Maine employees were employed by small businesses and 99.3% of all Maine businesses are considered small and many can’t afford to offer their employees this type of benefit. A state-based program will help bridge this gap.

Paid family leave is good for children and families:

Paid family leave improves the wellbeing of newborns, children, and their parents and increases childhood outcomes, especially during the critical development period. Whether after the birth or adoption of a child those first days and weeks are critical. The sad reality is that nearly 25 percent of women take 10 or fewer days of maternity leave and most maternity benefits do not grant equal leave to fathers. Paid leave will be good for all Maine families, from traditional two-

parent families, single-parent families, multi-generational ones and, especially, LGBTQ families who are frequently left out of these policies.

Paid family leave is good for the elderly:

Maine is the oldest state in the country and our seniors have specific needs to remain productive and healthy. Over 80 percent of older adults have at least once chronic condition that requires care that often falls to relatives. Access to paid leave allows workers to take time to care for their loved ones. Family involvement reduces recovery time from health complications and decreases the need for expensive services such as hospital stays and nursing homes

Paid family leave and the COVID-19 crisis:

Paid family leave helps COVID-19 patients stay afloat when they're sick or need to care for their loved ones. The financial insecurity created by COVID-19 is felt every day and a paid family medical leave program will give Maine businesses the flexibility to care for their employees and keep their business afloat. COVID-19 has placed an undue burden on women and people of color in the workforce. Women are 49 percent of the workforce and roughly 68 percent of frontline workers. Black workers are 31 percent more likely to be frontline workers and partially explains Maine's large racial disparity amongst COVID-19 patients. A PFML system would support our heroes on the frontlines.

There is one amendment I would like to make right off the bat. If I can draw the committee's attention to Sec. 9 of the bill. Currently as drafted the funds for the Commission would come from transfers from the Department of Professional and Financial Regulation. Having worked with DPFMR as a former chair of the IDEA committee, I do not want to sweep those funds in order to fund this crucial work and have communicated this to Commissioner Head. With the influx of funds coming from the federal government through the American Rescue Plan, and other sources, I would like to find a way to fund the commission through those avenues.

As I said earlier, I have worked on this issue since I first was elected to the Maine Legislature. When I first introduced this bill and in subsequent years, I thought of family members whom I helped care for during the end of their terminal illnesses. I thought of my own need for paid time off after being hit by a car while bicycling. I thought of my parents and would I be able to have the means to be able to care for them when they were older. As a small business owner, I thought of my employees and how this is a benefit that I aspire to make a reality for them. There was a plethora of reasons that brought me to first start introducing PFML. Now, standing before you in my first term as a State Senator and my ninth year in the Maine Legislature, my commitment to making PFML happen is even stronger.

Right before the pandemic completely turned our world upside down, I have this vivid memory of walking to my business, Moderation Brewing. I had my headphones in listening to the news, and a piece about paid family medical leave. They discussed the multitude of programs in other countries and the sheer lack of this policy in the US. There were stories of individuals with access to PFML and how it crucial it was for them. As I got to the back of the brewery one woman was discussing the vital role twelve paid weeks off from work gave her to care for and bond with her new infant. As I opened the back door and looked in at our bustling taproom, I had a ping of deep sadness and fear as I realized as someone who is self-employed—and hopes to be

a mother—that this was an experience and benefit I might never see. I also knew that I wasn't alone in that moment and that for most Mainers we are all in the same boat. And as much as I think I could rock pulling beer drafts with a new infant strapped to my chest, I do hope that when that day comes I—and all Mainers—can access PFML.

We need a paid family medical leave system for Maine. We are in desperate need of it with our aging population and our need to be able to attract and retain young families. We need to support working families and Maine's economy. The COVID-19 crisis has highlighted what we've known for years: paid family medical leave is necessary, important, and should be implemented in the state of Maine.

Thank you for your time, and I would be happy to try and answer any questions you may have.