



May 5, 2021

Senator Hickman, Representative Sylvester, and members of the Joint Standing Committee on Labor and Housing: my name is Alysia Melnick and I'm an attorney at Bernstein Shur testifying on behalf of my client, EqualityMaine, and their partners at GLAD.

EqualityMaine and GLAD support **LD 1559: Resolve, To Create the Commission To Develop a Paid Family and Medical Leave Benefits Program**. Only 15% of American workers have access to any sort of paid leave,<sup>1</sup> and fewer than 60% of the workforce has access to unpaid leave under the Family Medical Leave Act. Among those, many don't take leave, because they can't afford unpaid time off of work.<sup>2</sup> This leads to disruption in the workforce, negative public health outcomes, and struggling families, communities, and employers.

LD 1559 is an opportunity for working Mainers, businesses, experts, and the state government to work together to identify how to implement a system of paid family and medical leave for Maine. This bill will create a commission to take public feedback, to learn from what works in states with established systems of leave, to hear from workers, employers, caregivers, and experts, and to propose a system to support all workers, families, and employers in Maine.

Should this bill be passed, it will be important for this commission to consider "family" in ways that are realistic and inclusive. The government uses the construct of family to make determinations about access to rights, resources, and benefits. Historically, family definitions in law and policy have often failed to meet the needs of families in the United States, and they frequently fall short today. The overwhelming majority of households—more than 80 percent, according to the United States Census—depart from the so-called nuclear family model of a married couple and their minor children.

---

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics. (2017, September). Employee Benefits in the United States National Compensation Survey: Employee Benefits in the United States, March 2017 (Tables 16 and 32). Retrieved 16 October 2017, from <https://www.bls.gov/ncs/ebs/benefits/2017/ebbl0061.pdf>

<sup>2</sup> Klerman, J., Daley, K., & Pozniak, A. (2012, September 7). Family and Medical Leave in 2012: Technical Report (p. 21). Abt Associates Publication. Retrieved 4 March 2015, from <http://www.dol.gov/asp/evaluation/fmla/FMLA-2012-Technical-Report.pdf>

LGBTQ individuals and families continue to experience the collateral consequences of narrow family definitions in local, state, and federal policy. Many LGBTQ individuals forge close relationships with friends and informal support networks—known as chosen families—often because they face rejection and separation from their biological families. These relationships become paramount when needing to take time off from work to recover from illness or care for sick loved ones, and more inclusive definitions of family in workplace leave policies would make a significant difference.

This bill represents a first step towards a paid family and medical leave system in Maine, and we would be proud to work with the commission to ensure that all families are included. We respectfully ask that you vote Ought to Pass.