

United States¹

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For comparisons with other countries in this review on leave provision and early childhood education and care services please see the [cross-country tables](#) at the front of the review (also available individually on the Leave Network website). To contact authors of country notes, see the [members page](#) on the Leave Network website.

1. Current leave and other employment-related policies to support parents

Note on United States leave policy: The United States is a federal state. There is no statutory right to any of the types of leave or other statutory measures covered in the other country notes in this review. The federal Family and Medical Leave Act (FMLA) of 1993 provides unpaid leave for a variety of reasons including: childbirth or the care of a new-born child up to the age of 12 months; for the placement and care of an adopted or foster child; for the care of a seriously ill child, spouse, or parent; or for a serious health condition of the employee that makes them unable to work their regular schedule. The federal Department of Labor is responsible for the FMLA. In addition, ten states, the District of Columbia and one territory offer all or some employees the statutory right to partly paid leaves for family reasons. In March 2021, 23 per cent of all civilian workers had access to paid family leave, and 89 per cent had access to unpaid family leave².

¹ Please cite as: Gatenio Gabel, S., Kaufman, G., Petts, R.J. and Engeman, C. (2022) 'United States country note', in Koslowski, A., Blum, S., Dobrotić, I., Kaufman, G. and Moss, P. (eds.) *International Review of Leave Policies and Research 2022*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

² Bureau of Labor Statistics (September 2020) *National Compensation Survey: Employee Benefits in the United States, March 2021, Table 33. Leave benefits: Access, private industry workers, March 2021*. Available at: <https://www.bls.gov/ncs/ebs/benefits/2021/employee-benefits-in-the-united-states-march-2021.pdf>

Length of leave (before and after birth)

- The FMLA provides up to 12 weeks in a 12 month period. Leave is an individual entitlement (for those who are eligible, see below).

Payment and funding

- Leave under the FMLA is unpaid and job-protected, meaning that employees are guaranteed a return to the same or similar position with the same employer.

Flexibility in use

- FMLA leave may be taken in one continuous period or divided into several blocks of time.

Regional or local variations in leave policy

Ten states, the District of Columbia, and Puerto Rico have adopted paid leave insurance for pregnancy and/or family caregiving. All leave rights and benefits are granted as individual entitlements. For cross-national comparative purposes, we note that there are no nationality/citizenship-based eligibility requirements. Eligibility requirements concern employment (i.e., number of weeks or hours worked, employer size, etc.). We also note that since the Supreme Court struck down state-level same-sex marriage bans in June 2015, leave to care for one's spouse includes married, same-sex couples, and leave to care for children includes children of same-sex couples where there is legal guardianship. Some states cover leave to care for children for employees standing in *loco parentis* – or acting as parents regardless of legal guardianship. This is noted in the descriptions of state provisions below.

California was the first state to implement a comprehensive paid family leave (PFL) law in 2004, covering all private sector employees. Some public sector employees are covered and self-employed persons can opt in. PFL insurance allows covered employees, regardless of gender, to receive wage replacement benefits for up to eight weeks. Leave is partially paid at 60 to 70 per cent of earnings, depending on income, up to a maximum of US\$1,357 [€1,286.26]³ per week in 2021. Leave is paid for childbirth, adoption, or care of a seriously ill child, grandchild, parent, parent-in-law, grandparent, spouse, or domestic partner. The definition of 'parent' under the law includes individuals serving as a parent to a child without reference to legal guardianship. PFL was created by extending the State Disability Insurance (SDI) programme to cover family caregiving needs. The SDI provides 52 weeks of wage replacement benefits for leave related to employees' own temporary disability, serious illness, or non-work-related injury.

³ Conversion of currency undertaken for 21 June 2022, using: https://www.ecb.europa.eu/stats/policy_and_exchange_rates/euro_reference_exchange_rates/html/index.en.html

PFL and SDI benefits are funded by employee contributions, and benefit levels are adjusted annually as wages increase. The average weekly benefit for family care in 2021 was US\$735 [€696.68]⁴. As an insurance programme, the PFL and SDI programmes do not provide rights to job protection. Job protection is provided under other laws, such as the FMLA or the California Family Rights Act. Under a separate law, pregnant employees have the right to an additional four months of job-protected leave for disability due to pregnancy, childbirth, or related health condition (if they work for an employer with five or more employees). They can receive wage replacement under SDI, typically for four weeks prior to and six weeks after childbirth (and this is in addition to six weeks of benefit payments under the PFL for bonding). Additional weeks can be granted with proper physician certification in cases of difficult pregnancies.

Colorado passed paid family leave in 2020, making Colorado the first state to establish a paid leave insurance programme via ballot initiative. Contributions to the employer-employee jointly-funded program will begin in January 2023, and employees can access benefits starting in January 2024. The programme provides 12 weeks of paid, job-protected leave to bond with a new child (birth, adoption, foster), for self-care or to care for a family member with a serious illness or health condition, to address issues related to a family member's military service, or to address issues related to surviving domestic violence, stalking, sexual assault or abuse. Family members include a child, spouse, domestic partner, spouse's/partner's parent, grandparent, grandchild, sibling, and other individuals the beneficiary considers family regardless of biological ties. In cases of complications from birth or pregnancy, beneficiaries can access an additional four weeks of leave. Eligibility for paid benefits requires employees to have earned at least US\$2,500 [€2,369.67] at their current job. Eligibility for job protection requires 180 days of employment prior to taking leave. Employees of both the private sector and state and local government are covered, and self-employed individuals can opt in. Benefits pay 90 per cent of previous earnings that are at or below half of the statewide average weekly wage (AWW) *plus* 50 per cent of previous earnings that are above this amount. The benefit ceiling for the programme's first year is US\$1,100 [€1,042.65], which will be adjusted annually to equal 90 per cent of the statewide AWW⁵.

Connecticut passed two separate laws in 2019: the Connecticut (CT) Family and Medical Leave (CTFMLA) and CT Paid Leave (CTPL). Beginning 1 January 2022, the CTFMLA provides eligible employees with up to 12 weeks of job-protected leave to care for a new child (birth, adoption, foster); to care for one's own health condition; care for a family member (child, parent, spouse, domestic partner, grandparent, grandchild) with a serious health condition; to address issues related to a family member's active military duty; or to serve as a bone marrow or organ donor. The CT Paid Leave Act provides eligible workers with income replacement. Unlike federal FMLA that requires employees to have been employed at least 12 months and at least 1,250 hours in the 12 months immediately preceding the commencement of leave, CT requires one to have been employed

⁴ https://edd.ca.gov/about_edd/Quick_Statistics.htm#DIStatistics

⁵ <https://www.sos.state.co.us/pubs/elections/Initiatives/titleBoard/filings/2019-2020/283Final.pdf>

at least three months immediately preceding their first date of leave to be eligible for CT state leave.⁶ An employee may also be eligible for two additional weeks of CT leave if incapacitated due to a serious health condition that occurs during a pregnancy. State employees are eligible for a maximum of 24 weeks of leave within a two-year period to bond with a new child. Covered employees in Connecticut are eligible for benefits if they have earned wages of at least US\$2,325 [€2,203.79] in one of the five most recently completed quarters. If your wages are less than or equal to the Connecticut minimum wage multiplied by 40, your weekly benefit rate under the PFMLA will be 95 per cent of your average weekly wage. Wage replacement is capped at 60 times the minimum wage for those with earnings above 40 times the minimum wage and 95 per cent of wages for those earning 40 times the minimum wage or less.⁷ In January 2022, 60 times the minimum wage was equal to US\$780 [€739.34] weekly increasing to US\$840 [€796.21] on 1 July 2022, and US\$900 [€853.08] on 1 June 2023. This programme will be funded by a withholding tax of 0.5 per cent of earnings. All private sector employees are covered, and self-employed individuals can opt into the programme.

Hawaii's insurance programme, first enacted in 1969, uniquely focuses on pregnancy and childbirth. Hawaii does not have a *paid* family leave program. Hawaii provides up to 26 weeks of partial wage replacement under its Temporary Disability Insurance (TDI) programme for leave to address health issues related to pregnancy and childbirth (certified by a health professional). Benefits are 58 per cent of average weekly wages, paid up to a limit which is set annually. In 2022, that ceiling was US\$697 [€660.66] per week⁸. To be eligible for TDI benefits, employees must be employed and have worked for at least 14 weeks, for at least 20 hours per week for those 14 weeks in the year preceding leave. Under the Hawaii Family Leave Law and rules, an employee may be eligible for up to four weeks of *unpaid* family leave each calendar year for the birth or adoption of a child, or to care for his / her child, spouse, reciprocal beneficiary, or parent with a serious health condition. An employee may substitute accrued paid leave (i.e., vacation or sick leave) for any part of the State Family Leave. However, only the accrued and available sick leave in excess of the 15 days required under the State's self-insured Temporary Disability Benefits Plan, can be applied toward family leave purposes. To be eligible for State Family Leave benefits, an employee must have worked for at least six consecutive months with the State. If an employee qualifies for both State Family Leave and FMLA, both leave periods will run concurrently.

Massachusetts adopted paid family medical leave in 2018. The programme provides: up to 12 weeks to care for a new-born, newly adopted, or newly placed foster child; up to 20 weeks to address one's own serious medical condition, including pregnancy- and childbirth-related health issues; up to 12 weeks to care

⁶ <https://portal.ct.gov/-/media/DAS/Statewide-HR/A---Z-Listing-Task-PDFs/Family-Medical-Leave-DAS-General-Letter-39.pdf>

⁷ <https://portal.ct.gov/Office-of-the-Governor/News/Press-Releases/2019/06-2019/Governor-Lamont-Signs-Historic-Law-Enacting-Family-and-Medical-Leave-in-Connecticut>

⁸ <https://labor.hawaii.gov/dcd/files/2019/11/newWBA.pdf>

for a family member (i.e., parent, spouse, child, domestic partner, grandparent, grandchild, sibling, parent-in-law, and domestic partner's parent); up to 26 weeks to address issues related to the military deployment of a family member or a family member's serious illness or injury incurred in active military duty; and up to 26 weeks of combined medical and family caregiving leave. Employees standing in *loco parentis* to a child can take leave to care for the child. The wage replacement rate is 80 per cent of average weekly wages, up to 50 per cent of the state-wide average weekly wage (AWW), plus 50 per cent of wages beyond that amount up to a cap of US\$1,084.31 [€1,027.78] per week.⁹ Eligible employees began making payroll contributions to the fund in July 2019 and can start receiving benefits in January 2021 (but for family caregiving purposes, benefits start in July 2021). To be eligible, employees must work at least 15 weeks and earn at least US\$5700 [€5,402.84] in the past year and earned at least 30 times more than they are eligible to receive each week in benefits¹⁰. The programme covers all private sector and most public sector employees¹¹. Self-employed individuals can opt in.

New Jersey implemented paid family leave insurance in 2009. The legislation extends the state's existing TDI system (which previously provided paid leave to address medical issues related to pregnancy and childbirth) to provide workers with up to 12 weeks of benefits. The paid leave program is intended to provide paid time away from work to allow parents to bond with their new child. The maximum weekly benefit levels are US\$993 (€941.23) per week. Benefits cover leave to care for a parent, spouse, child, domestic or civil union partner, partner's child, sibling, grandparent, grandchild, parents-in-law, any blood relative, and any person who is considered equivalent to family. The measure is financed by employee payroll deductions and covers all private sector employers, and some public employees. The 2022 taxable wage base is US\$151,900 [€143,981.04], up from US\$138,200 [€130,995.26] in 2021, for both Temporary Disability Insurance (TDI) and Family Leave Insurance (FLI)^{12,13}. Benefits payments for paid family leave do not run concurrent with TDI benefit payments for leave related to pregnancy and childbirth. Under TDI, pregnant employees can receive wage replacement for four weeks prior to the anticipated delivery date and six weeks after delivery

New York enacted a comprehensive paid family leave policy in 2016 that was phased in beginning in 2018. It provides 12 weeks of job-protected, paid leave to care for a new child, a seriously ill parent, spouse, domestic partner, child, grandparent, or grandchild, or to relieve family pressures when a spouse, domestic partner, child, parent, or sibling (beginning January 2023) is called to active military service abroad. Employees standing in *loco parentis* to a child can

⁹ [https://www.mass.gov/info-details/paid-family-and-medical-leave-pfml-overview-and-benefits#what-is-paid-family-and-medical-leave-\(pfml\)?-](https://www.mass.gov/info-details/paid-family-and-medical-leave-pfml-overview-and-benefits#what-is-paid-family-and-medical-leave-(pfml)?-)

¹⁰ <https://www.mass.gov/doc/pfml-information-for-employees-one-pager/download>

¹¹ <https://www.mass.gov/info-details/your-eligibility-for-paid-family-and-medical-leave-pfml>

¹² <https://www.myleavebenefits.nj.gov/labor/myleavebenefits/worker/fli/>

¹³ http://lwd.dol.state.nj.us/labor/forms_pdfs/tdi/FLI%20Summary%20Report%20for%202015.pdf

take leave to care for the child. Benefits pay 67 per cent of an employee's AWW, capped at 67 per cent of the state-wide AWW, with a maximum of US\$1,068.36 [€1,012.66] per week in 2022¹⁴. The paid family leave programme is funded entirely through employee payroll deductions. Employees are eligible to participate after having worked for their employer for 26 weeks full-time or 175 days part-time. In addition to the paid family leave programme, the TDI programme provides up to 26 weeks for pregnancy and childbirth, paid at 50 per cent of average weekly wages up to a cap of US\$170 [€161.14] per week. Benefit payments cover leave for medical issues related to pregnancy and/or childbirth, and requires the submission of medical reports. This leave is managed through the TDI programme, which is jointly funded by employees and employers¹⁵. Self-employed individuals can opt in to the insurance programmes. As of 1 January 2022, PFL's benefits have been extended to domestic workers who work 20 or more hours a week, provided they have been employed for 26 consecutive weeks¹⁶.

Oregon passed paid family leave in July 2019. Paid Family and Medical Leave Insurance (PFMLI). Contributions to PFMLI will begin January. 1, 2023, and benefits will first be disbursed starting September 3, 2023.¹⁷ Eligible employees may take up to 12 weeks in a benefit year to care for themselves or a family member, and up to two additional weeks for pregnancy, childbirth, or related circumstances. In some situations, up to 18 weeks may be taken in a benefit year, though four of those weeks may be unpaid¹⁸. Wage replacement is 65 per cent of state AWW plus 50 per cent of wages above the state AWW up to a maximum of US\$1,496 [€1,418.01] per week.¹⁹ Low-income workers will receive 100 per cent of their AWW. This program will be funded by a payroll tax, with employees paying 60 per cent and employers paying 40 per cent (businesses with fewer than 25 employees will be exempt from paying taxes though their employees will still be covered). Almost all employees, including part-time employees, will be covered²⁰.

Rhode Island's paid family leave programme (referred to as Temporary Caregiver Insurance) went into effect in 2014 and provides job protection and extends the state's existing TDI programme to provide paid leave to care for a new child or a parent, spouse, child, domestic partner, grandparent, or parent-in-law with a serious health condition. Beginning 1 January 2022, Rhode Island has extended the duration of available family leave from four to five weeks. That amount will rise to six weeks in 2023²¹. The programme is financed by employee payroll deductions and provides 60 per cent of previous weekly earnings, with a maximum of US\$978 [€927.01] per week beginning on or after 1 July 2021.²² It covers all private sector employees and some public sector employees. Pregnant employees qualify separately for job-protected paid leave through the TDI

¹⁴ <https://paidfamilyleave.ny.gov/2021>

¹⁵ <http://www.wcb.ny.gov/content/main/DisabilityBenefits/Employer/introToLaw.jsp>

¹⁶ <https://paidfamilyleave.ny.gov/2022>

¹⁷ https://www.oregon.gov/employ/PFMLI/Documents/Milestone%20Newsletter_Final.pdf

¹⁸ https://www.oregon.gov/employ/PFMLI/Documents/PFMLI_003_0921.pdf

¹⁹ <https://www.thehartford.com/paid-family-medical-leave/or>

²⁰ https://www.oregon.gov/employ/PFMLI/Documents/PFMLI_003_0921.pdf

²¹ <http://ripaidleave.net/>

²² <https://www.mercer.com/our-thinking/law-and-policy-group/2022-state-paid-family-and-medical-leave-contributions-and-benefits.html>

programme. TDI covers leave to address medical issues related to pregnancy and childbirth (child bonding is covered by the temporary caregiver insurance). The benefit rate is 4.62 per cent of previous earnings in the highest-earning quarter of the employee's base period (i.e., first four of previous five quarters of employment).

The state of **Washington** adopted paid family leave insurance in 2017. Employees began contributing to the insurance fund in 2019, and, starting in 2020, the programme provides wage replacement during leave to: care for a new-born, newly adopted, or newly placed foster child; or a parent, spouse, domestic partner, child, grandchild, grandparent, or sibling with a serious health condition; or to address issues related to a family member's active military duty. Employees standing in *loco parentis* to a child can take leave to care for the child. Leave can also be used to address an employee's own health issues, including those related to pregnancy or childbirth. Benefits pay 90 per cent of the employee's average weekly wages for employees who earn 50 per cent or less of the state-wide AWW. Employees who earn more receive 90 per cent of their AWW, up to 50 per cent of the state-wide AWW, then 50 per cent of their AWW that exceeds 50 per cent of the state-wide AWW. In 2022, the maximum weekly benefit is US\$1,327 [€1,257.82]. Benefits are paid for up to 12 weeks for either medical or family leave, 16 weeks for combined self-care and family caregiving, or for up to 18 weeks to address a serious pregnancy-related health condition combined with family caregiving needs. To be eligible, employees must have worked at least 820 hours in four out of five previous quarters. Rights to job protection cover only employees in establishments of 50 or more employees, plus require 12 months and 1,250 hours of employment. Self-employed individuals can opt in²³. The program is funded through premiums paid by both employees and employers. As of 1 January 2022, the premium rate is 0.6 percent of each employee's gross wages, not including tips, up to the 2022 Social Security cap (\$147,000 [€139,336.49]). Employers with 50+ employees will pay up to 26.78 per cent and employees will pay 73.22 per cent.

The **District of Columbia** passed the Universal Paid Leave (UPL) Amendment Act in 2017. Beginning 1 July 2020, UPL allows up to ten weeks of paid parental leave for a new-born, newly adopted, or newly placed foster child; six weeks of family leave to care for a parent, spouse, child, domestic partner, grandparent, or sibling; six weeks of medical leave to address one's own serious health condition²⁴. Employees standing in *loco parentis* for a child can take leave to care for the child. The Act covers all private sector employees covered by the D.C. Unemployment Compensation Act. Self-employed individuals can opt in. Leave is job-protected, and benefit payments are 90 per cent of the employee's AWW, up to a cap of US\$1,009 [€956.40] per week beginning 1 September 2021.²⁵ For employees with average weekly wages above US\$1009 [€956.40], the wage replacement rate is 80 per cent.²⁶

²³ <https://paidleave.wa.gov/find-out-how-paid-leave-works/>

²⁴ <https://does.dc.gov/page/dc-paid-family-leave>

²⁵ https://does.dc.gov/sites/default/files/dc/sites/does/publication/attachments/PFL%20Employee%20FAQ_0.pdf

²⁶ https://does.dc.gov/sites/default/files/dc/sites/does/page_content/attachments/PFL%20Sample%20Benefit%20Amount%20Chart.pdf

Puerto Rico's Working Mothers Act (1942) provides an eight-week maternity leave at 100 per cent of earnings that must begin one to four weeks prior to the expected delivery date. The disability law permits employee contributions at the rate of 0.3 per cent of wages up to US\$9,000 [€8,530.81]. The maximum weekly benefit is US\$113 [€107.11] (\$55 [€52.13] for agricultural workers). These statutory amounts have not changed since July 1972²⁷. A female employee who adopts a child under the age of six is entitled to the same leave benefits as a mother who gives birth²⁸ ²⁹. In 2020, the Working Mothers Act was updated to extend the right to up to five weeks of maternity leave to working mothers who adopt children six years of age and older. The law does not extend the right to the leave to working fathers³⁰.

Eligibility (e.g. related to employment or family circumstances)

- The federal FMLA covers all employees (including foreign workers who have a valid work visa³¹) who work for a covered employer (see 'additional note' below) and who have worked for that employer for at least one year (even if not for a continuous period) for at least 1,250 hours over the preceding 12 months.
- FMLA defines a child as a biological, adopted, or foster child, stepchild, legal ward, or a child of a person standing *in loco parentis*³². As such, a same-sex parent may take leave under FMLA to care for their child, even if they are not an adoptive parent.
- Because of the qualifying conditions, only about 58 per cent of workers in private firms are eligible for federal FMLA, with lower coverage for low-wage workers, workers with young children, and working welfare recipients³³.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- None.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- The Federal Employee Paid Leave Act (FEPLA) provides federal employees up to 12 weeks of paid time off for the birth of a child or the placement of a child for adoption or foster care. Federal employees became eligible to take leave beginning October 2020. Leave may be used only during the 12 month period beginning on the date of the birth or placement involved as long as an

²⁷ <https://www.mercer.com/our-thinking/law-and-policy-group/2022-state-paid-family-and-medical-leave-contributions-and-benefits.html>

²⁸ <http://www.oslpr.org/download/en/2000/0120.pdf>

²⁹ <http://www.oslpr.org/download/en/2000/0425.pdf>

³⁰ <https://www.littler.com/publication-press/publication/puerto-rico-enacts-law-extending-maternity-leave-mothers-adopting>

³¹ <https://www.dol.gov/whd/regs/compliance/FactSheet62/whdfs62I.pdf>

³² <https://www.dol.gov/whd/fmla/adultchildfaqs.htm>

³³ Council of Economic Advisors (2014) *The Economics of Paid and Unpaid Leave*. Washington, DC: Office of the President.

employee has a continuing parental role with the child whose birth or placement was the basis for the leave entitlement. To receive paid leave benefits under FEPLA, federal employees must meet FMLA eligibility requirements.

- The majority of US workers lack access to paid family leave from any source. Only 23 per cent of private sector employees have access to paid family leave through their employers and 26 per cent of state and local government workers do³⁴.
- Federal FMLA exempts private employers and non-profit organisations with fewer than 50 employees within a 75-mile radius (all public sector employees are covered).

Flexible working

- None.

Specific provision for (breast)feeding

- The Fair Labour Standards Act, amended by the Affordable Care Act in 2012, requires that an employer with 50 or more employees provide its hourly workers with: a reasonable break for an employee to express breast milk for her nursing child up to one year after the child's birth and a place, other than a bathroom, that is private and free from intrusion to be used by an employee to express breast milk.
- The Fifth Circuit of the federal Court of Appeals recently decided that discriminating against a female employee because she is lactating or seeking to express breast milk may constitute sex discrimination under the Pregnancy Discrimination Act and Title VII of the Civil Rights Act.

2. Relationship between leave policy and early childhood education and care policy

There is no statutory entitlement to paid leave or to Early Childhood Education and Care (ECEC).

For ECEC attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

³⁴ Bureau of Labor Statistics (September 2021). Employee Benefits Survey. <https://www.bls.gov/ncs/ebs/factsheet/family-leave-benefits-fact-sheet.htm>

3. Changes in policy since April 2021 (including proposals currently under discussion)

Federal leave

Support is building for a federal paid leave initiative, yet the partisan divide in Congress and debates about funding a federal paid leave policy pose notable barriers to legislation being passed.

In November 2021, the US House of Representatives passed a bill (Build Back Better) that included four weeks of paid family and medical leave. The original plan included 12 weeks of paid leave but that was dropped from the bill and then added back as four weeks. Nevertheless, the bill stalled when there was opposition in the US Senate. In his State of the Union address in March 2022, President Biden included a call for paid family and medical leave.

State level

The majority of states have adopted or considered paid family leave. Paid family leave legislation passed the legislature in at least two states—New Hampshire and Vermont—only to be vetoed by the governor. New Hampshire will implement a voluntary program to take effect in January 2023. Other states, including Missouri and South Carolina, are currently considering legislation that would provide paid family leave only for government employees. In 2021, North Dakota passed legislation banning cities and counties from enacting local paid family leave legislation.³⁵

4. Uptake of leave

A 2012 survey found that only 16 per cent of US workers eligible for the federal FMLA took leave for any covered reason. Of these, about half took leave for their own illness; 21 per cent took leave for reasons related to a new child; and the remainder took leave to care for an ill family member (which could be a spouse or child)³⁶. Though the law provides *de facto* parental leave entitlements, studies have found it has had generally small effects on mothers' likelihood of taking time off from work at childbirth^{37 38}, and little or no effects on time off taken by new fathers^{9 10}. Based on two national surveys, only 4-6 per cent of fathers take more than two weeks of paternity leave³⁹. This suggests there are limits to the extent to which families are willing and able to use unpaid leave. In contrast, evidence suggests that workers are much more likely to use paid leave. A recent report shows that among workers who have access to paid family or parental leave, 87

³⁵ <https://bipartisanpolicy.org/explainer/state-paid-family-leave-laws-across-the-u-s/>

³⁶ Klerman, J. A., Daley, K. and Pozniak, A. (2013) *Family and Medical Leave in 2012: Technical report*. Washington, D.C.: Abt Associates.

³⁷ Han, W.J. and Waldfogel, J. (2003) 'Parental leave: The impact of recent legislation on parents' leave-taking', *Demography*, 40(1): 191-200.

³⁸ Han, W.J., Ruhm, C., and Waldfogel, J. (2009) 'Parental leave policies and parents' employment and leave-taking', *Journal of Policy Analysis and Management*, 26(1): 29-54.

³⁹ Petts, R. J., Knoester, C., and Li, Q. (2020) 'Paid paternity leave-taking in the United States', *Community, Work & Family*, 23(2): 162-183.

per cent of women and 59 per cent of men use at least half of the paid parental/family leave that they have access to (66 per cent of women and 36 per cent of men use all available paid leave)⁴⁰. Also, implementation of California's PFL law increased the leave-taking of new fathers by 46 per cent and new mothers by 13 per cent⁴¹.

⁴⁰<https://www.shrm.org/hr-today/trends-and-forecasting/research-and-surveys/Documents/2017%20Employee%20Benefits%20Report.pdf>

⁴¹ Bartel, A. P., Rossin-Slater, M., Ruhm, C. J., Stearns, J. and Waldfogel, J. (2018) 'Paid family leave, fathers' leave-taking, and leave-sharing in dual earner households', *Journal of Policy Analysis and Management*, 37: 10-37.