



Paid Family Medical Leave

Board of Supervisors Personnel Committee Meeting

Cathy Spage

Director, Department of Human Resources

November 26, 2019



Overview

- Background
- Legislative Drivers
- What Fairfax Currently Does
- What Other Jurisdictions Do
- Possible Improvements
- Costs and Benefits
- Recommendation



Background Discussion

As the workforce begins to demand more Work/Life balance, Paid Parental Leave and *Paid Family Leave is a way to attract talent* to an organization.

Employers are introducing more generous paid parental leave programs, as this benefit is **increasingly necessary to remain competitive.**



Background Discussion Cont'd

A recent survey from Bright Horizons, a childcare benefits provider, reported that 49% of new parents said they would have taken a job for **less money** at a more family friendly employer.

When employees have access to leave when they most need it, they are **more engaged in the workplace** which increases productivity



Pending Leave Legislation

- Federal Employees Paid Parental Leave Act (FEPPLA) (S.1174) 12 weeks of paid leave
- VA Paid Family and Medical Leave Program (HB 2120)
 - **Paid family and medical leave program.** Requires the Virginia Employment Commission to establish and administer a paid family and medical leave program with benefits beginning January 1, 2022. Under the program, benefits are paid to eligible employees for family and medical leave.



Fairfax County Leave

■ Annual Leave

– Annual Leave is accrued based on years of service

County Service	Accrued per Pay Period	Annually
Less than 3 Years	4 Hours	13 Days
3 Years but less than 15	6 Hours	19.5 Days
15 Years or greater	8 Hours	26 Days



Fairfax County Leave

- Sick Leave
 - Employees working 80 Hours per pay period earn 13 days annually

- Holiday Leave
 - 11.5 Paid Holidays annually



Fairfax County Leave Summary

Fairfax County Offers 19 Unique types of Leave

- Administrative Leave
- Administrative Leave – Medical Donor
- Advanced Sick Leave
- Annual Leave
- Bereavement Leave
- Civil Leave
- Compensatory Leave
- Education Leave
- Emergency Administrative Leave



Leave Summary Cont'd

- Extraordinary Sick Leave
- Family and Medical Leave
- Holiday Leave
- Injury Leave
- Leave without pay
- Military Leave
- Parental Leave
- Sick Leave
- Transferred Leave
- Volunteer Activity Leave



Family and Medical Leave Act (FMLA)

- The FMLA is federal law that provides job-protected, unpaid leave from work for certain family and serious medical reasons.
- It applies to many employers across the country
- It was signed by President Bill Clinton on February 5, 1993



Family and Medical Leave Act (FMLA) Cont'd

- Entitles eligible employees to take up to 12 weeks of unpaid, job protected leave for certain medical and family reasons in a 12 month period
- Includes your own, a spouse's, parent's or child's serious health condition
- Allows eligible employees to take up to 26 work weeks to care for a covered service member with a serious injury or illness



Family and Medical Leave Act (FMLA) Cont'd

- During leave, employers are not required to pay workers but they must maintain workers' group health insurance under the same terms and conditions as if the employee had not taken leave
- Employers are required to give employees their jobs back when they return from leave.



Categories	2016	2017	2018	Total
Number of new hires using PPL in initial 12 month period	8	27	41	76
Number of employees using PPL after initial 12 month period	438	314	269	1021
Number of employees using PPL	446	341	310	1097
Total number of hours used	33,144.10	30,101.40	30,935.30	94,180.80



High Profile Corporate Announcements

Deloitte, consulting and professional service firm

- 16 weeks of fully paid family leave time
- up to 6 months of paid time off for childbirth
- Leave to support a range of life events

Sallie Mae, personal finance and education loan firm

- 12 weeks of leave
- 12 weeks of paid leave for primary caregivers and 4 weeks of paid leave for the secondary caregiver.

Amazon, e-commerce giant

- Up to 14 weeks of maternity leave
- 6 weeks of paid leave following the birth or adoption



Neighboring Jurisdictions Leave Plans

Arlington County

- 160 hours of PPL
- Employee must be eligible for FML and leave must be taken immediately during the 12 week period following the event date



Neighboring Jurisdictions Leave Plans

City of Alexandria

- 240 hours of PPL
- Employee must be eligible for FML and leave must be taken immediately during the 12 week period following the event date
- **Currently under review to expand to use within the first 6 months immediately following event date**



Neighboring Jurisdictions Leave Plans

Loudoun County

- 96 hours of Sick Leave
- Short Term Disability at 60% of pre-disability pay
- Long Term Disability at 60% of pre-disability pay
- Employer paid
- FML runs concurrent with Sick and Disability Leave.
- Currently considering programs for non-birthing parents



Neighboring Jurisdictions Leave Plans

Prince William County

- 104 hours of Sick Leave
- Employer paid Short Term Disability at 60% of pre-disability pay
- Employer paid Long Term Disability at 60% of pre-disability pay
- FML runs concurrent with Sick and Disability Leave



State & Federal Leave Plans

Virginia

- state employees eligible for 320 hours of PPL
- employee must be eligible for FML
- expires 6 months from event date

Maryland

- state employees eligible for 60 days of PPL
- employee must be eligible for FML
- expires 6 months from event dates



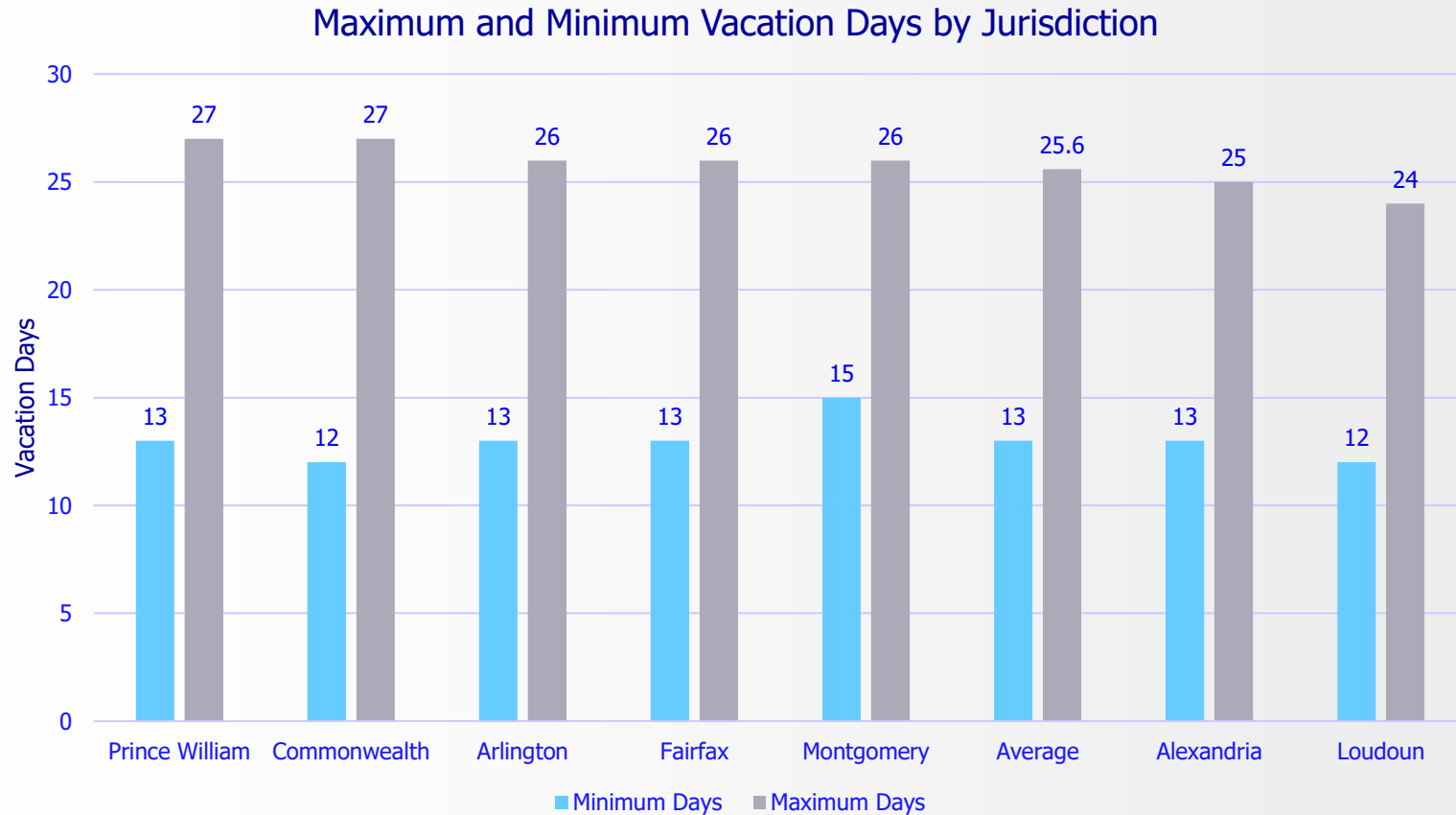
State & Federal Leave Plans

Federal Government

- Several bills have been introduced, none passed
- SHRM is lobbying support for federal legislation or an amendment to FMLA to ease the administration for employers that are struggling to comply with a myriad of state and municipality family paid leave laws

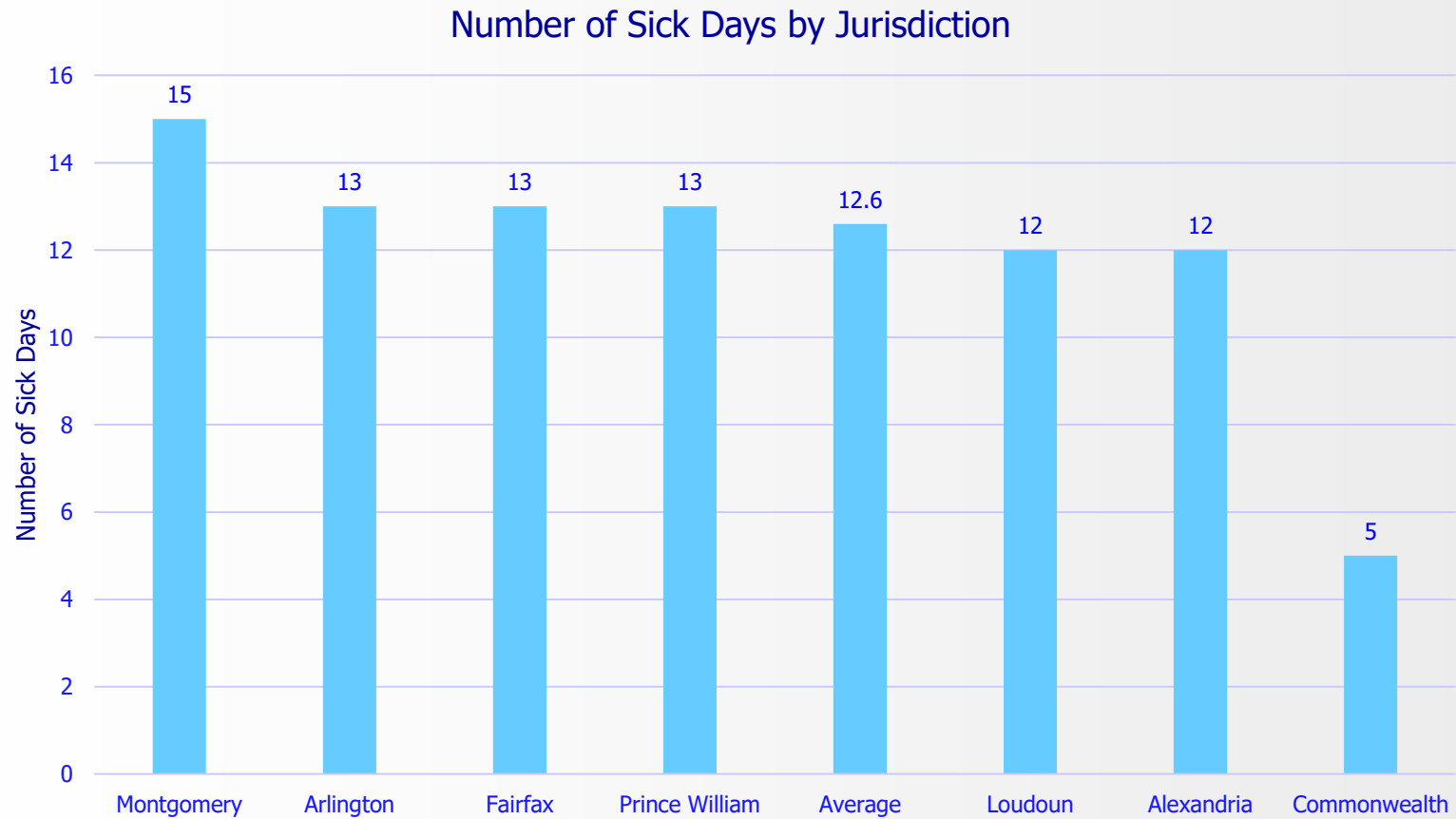


Jurisdiction Comparison





Jurisdiction Comparison





Possible Improvements

Based on this study, staff proposes two possible options for Paid Parental/Family Medical Leave

1. **Increase current Parental Leave (80 hours) to 240 hours** paid leave to be used within 12 month period from the event; runs concurrent with FML, if applicable.
2. **Replace current Parental Leave (80 hours) with paid Parental/Family Leave of 240 hours paid leave** following federal FMLA usage guidelines. Runs concurrent with FML, if applicable



Personnel Services and Benefits Costs

	FY 2018	FY 2019
Personnel Services	\$800,512,121	\$832,939,830
Fringe Benefits	\$362,766,578	\$378,455,923

	FY 2018	FY 2019
FML	\$ 8,111,290	\$ 11,815,804
PPL	\$ 927,636	\$ 1,026,107



Cost Considerations

- Additional Funding is not required
- Proposed Family Medical Leave does not accrue, and can only be used when there is a qualifying event
- By adding this benefit, employees will be able to save more of their own annual and sick leave, which is already funded
- There will be less reliance on donated leave



Anticipated Benefits

- Employees will be able to focus on better health outcomes
- Paid Family Medical leave is a great recruiting tool
- Employees are more engaged and productive when they feel their employer cares about their wellbeing



Recommendations

Based on this study, staff proposes Paid Parental/Family Medical Leave:

- Replace current Parental Leave (80 hours) with paid Parental/Family Leave of 240 hours paid leave following federal FMLA usage guidelines. Runs concurrent with FML, if applicable



Questions?