

Legislation Text

File #: 2015-0102, **Version:** 3

A MOTION declaring that it is county policy to establish a paid family leave program for King County employees and directing the executive to develop and transmit a work plan for implementing a paid family leave program and a report on the costs and benefits of implementing and providing a paid family leave program.

WHEREAS, the United States is the only advanced industrialized country without a national law providing new parents with access to at least partially paid family leave, and

WHEREAS, the 1993 U.S. Family and Medical Leave Act requires firms employing at least fifty persons to offer eligible workers twelve weeks of job-protected unpaid time off work to care for newborn or newly adopted children, to care for a child, spouse or parent with a serious health condition, or to care for themselves when they are unable to work because of a serious health condition. However, a 2012 U.S. Department of Labor survey found that the number of employees who reported needing leave but not using it doubled since 2000. The most common reasons for not using leave were inability to afford it, given by forty-six percent of the respondents, and fear of losing their jobs, given by seventeen percent of respondents. Those who did not take needed leave were more likely to be women, nonwhite, unmarried and earning less than thirty-five thousand dollars annually, and

WHEREAS, an Institute for Women's Policy Research report for the U.S. Department of Labor found that paid maternity leave can affect breastfeeding rates and duration, reduce the risk of infant mortality and increase the likelihood of infants receiving well-baby care and vaccinations. The same report found that fathers who take time off from work around childbirth are more likely to spend more time with their children in the

months following their children's birth, which could reduce stress on the family and contribute to father-infant bonding, and

WHEREAS, twelve weeks of paid parental leave is recommended by Zero to Three: National Center for Infants, Toddlers, and Families, and eighteen weeks of paid maternity leave is recommended by the International Labour Organization, and

WHEREAS, the Bureau of Labor Statistics found in 2013 that sixty-four percent of mothers with children under the age of six worked outside the home, and

WHEREAS, research by the National Institutes of Health in 2013 found that paid maternity leave is correlated with an increase in the working hours of mothers with one-to-three-year-old children, and, thus, with a likely increase in their earnings, and

WHEREAS, in January 2015, the King County women's advisory board issued a report, entitled Improving Wage Equity and Promoting Family Friendly Workplace Policies throughout King County, that recommended that King County offer paid family leave to its employees, and

WHEREAS, according to a study of California's experience with paid family leave, described in a book entitled "Unfinished Business: Paid Family Leave in California and the Future of U.S. Work-Family Policy," by Ruth Milkman and Eileen Appelbaum, the availability of paid family leave has led to an increase in the number of men taking parental leave, which has the potential to reduce gender inequality in both the household and the labor market, and

WHEREAS, King County seeks to become a model employer of the future, as described in Attachment A to Motion 14129, entitled Creating the Employer of the Future at King County, and family-friendly leave policies have been found to improve employee recruitment and retention, which are key for the county's success in providing the highest level of service to King County's residents, and

WHEREAS, increased employee retention would help King County avoid costs associated with replacing employees, which the Center for American Progress estimates at twenty-one percent of an employee's

salary, and

WHEREAS, the cost of providing twelve weeks of paid parental leave to eligible county employees has been estimated preliminarily by executive staff to be about \$4.46 million, and

WHEREAS, given the continuing, significant fiscal challenges facing King County, the council will give strong consideration to meeting the costs of this new policy, program and benefit through means that do not increase the financial expense or burden to county government, and

WHEREAS, King County's general fund budget faces significant constraints, requiring careful consideration of potential additional expenses in the budget, as well as a continuous need to find savings, and

WHEREAS, paid parental leave has been shown to improve health outcomes for infants and children, which may result in avoided healthcare costs for King County, and

WHEREAS, many of the reasons supporting paid parental leave apply also to paid leave for an employee to address the employee's own serious health condition or the serious health condition of the employee's child, parent, spouse or domestic partner, or the child or parent of the employee's spouse or domestic partner;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

A. It is the policy of the county to provide paid family leave, including paid parental leave as described in this subsection. Paid parental leave should include, beginning no later than January 1, 2016, barring exceptional burden, at least twelve weeks of one-hundred-percent paid leave within a twelve-month period to eligible King County employees following the birth, adoption or foster placement of a child. The county should provide flexible scheduling as reasonably needed by employees who are returning to work from paid parental leave. The implementation of this policy with regard to represented county employees is subject to collective bargaining. The policy is subject to the considerations listed in subsection B. of this motion. This motion shall not be interpreted as conferring a right or benefit on any individual. It is intended that no right or benefit shall be conferred unless and until an ordinance has been enacted implementing the motion in whole or

in part, and only to the extent that the ordinance explicitly confers such a right or benefit.

B. The executive is requested to develop and transmit to the council: a work plan for implementing a paid parental leave program as described in subsection A. of this motion; a report on the estimated costs and benefits associated with implementing and providing the leave program, including effects on employee recruitment and retention and health outcomes of employees and their children; and the legislation necessary to implement the leave program. In developing the work plan and the legislation, the executive shall consider how paid parental leave aligns with other leaves within the county and eligibility criteria. The work plan may include the costs and benefits of offering up to sixteen weeks of paid parental leave, and may also provide the same information for any other period of paid parental leave. Incremental increases may be explored based on fiscal and administrative analysis. The work plan should include a recommended means to pay for any additional costs associated with the parental leave policy, which means may include: using existing resources; identified savings; a payroll deduction; another option or options; or a combination thereof. Given the continuing, significant fiscal challenges facing King County, the council will give strong consideration to meeting the costs of this new policy, program and benefit through means that do not increase the financial expense or burden to county government. If the executive determines, after further analysis, that the cost of providing twelve weeks of paid parental leave to eligible county employees is likely to materially exceed executive staff's preliminary estimate, the council may find it necessary to reconsider the structure or duration of a paid parental leave policy. If the executive determines that, due to exceptional burden, the paid parental leave program provided for in subsection A. of this motion cannot be implemented by January 1, 2016, the work plan should describe the burden and identify the date on which the paid parental leave program will be implemented. If the executive recommends a paid parental leave period different than provided for in subsection A. of this motion, the work plan should describe the rationale for the recommendation, and the costs and benefits of the alternative option or options.

The executive should transmit the report on the estimated costs and benefits of paid parental leave by

September 15, 2015, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff, the policy staff director and the lead staff for the transportation, economy and environment committee, or its successor. The work plan and proposed legislation concerning paid parental leave should be transmitted and distributed in the same manner by October 15, 2015, in order to be considered in conjunction with a supplemental appropriation ordinance.

C. The executive is requested to develop and transmit to the council: a work plan for implementing a paid family leave program that would provide leave for eligible county employees to address the employee's own serious health condition or the serious health condition of the employee's child, parent, spouse or domestic partner, or the child or parent of the employee's spouse or domestic partner; a report on the estimated costs and benefits associated with implementing and providing the program, including effects on employee recruitment and retention and health outcomes of employees and their families; and the legislation necessary to implement the program. In developing the work plan, report, and legislation, the executive shall consider how this benefit aligns with other leaves within the county and eligibility criteria. Given the continuing, significant fiscal challenges facing King County, the council will give strong consideration to meeting the costs of this new policy, program and benefit through means that do not increase the financial expense or burden to county government.

The executive should transmit by September 15, 2015, in the same manner described in subsection B. of this motion, the cost-benefit analysis of the paid family leave options. The work plan and proposed legislation concerning paid parental leave should be transmitted and distributed in the same manner by October 15, 2015, in order to be considered in conjunction with a supplemental appropriation ordinance.