



Overview

Only a small portion of all workers in the United States have paid family medical or sick leave¹, and coverage varies by job type, wages, and where people live.² This is a public health issue and a business issue too as studies show that workers who can take paid leave keep their jobs for longer and make more money than workers who do not or cannot take paid or unpaid leave.³

Paid and Unpaid Time Off Work: National and Local Programs

The Family Medical Leave Act (FMLA), signed into law by President Clinton in 1993, gives about 60 percent of Americans access to medical leave to care for themselves or a family member.⁴ However, although the FMLA guarantees that a person will have a job when they return to work, the time off is unpaid.

A growing number of states and cities have passed paid sick leave laws, but apart from the FMLA, there are no city, county, or state laws that mandate paid or unpaid sick leave in Colorado. Over the past few years, efforts at passing legislation or ballot initiatives providing paid sick leave to Colorado workers have failed. However, Colorado employees who lose more than “three shifts or three days of work” due to an injury or illness may be eligible for temporary total disability if they are completely not able to work, or temporary partial disability if a person can work but can’t earn as much due to the injury; this protection is provided through the 2016 Colorado Workers’ Compensation Cost Containment Act which provides eligible workers with some compensation for lost wages.⁵ This program does not cover paid leave for doctor’s visits or taking care of a family member.

Evidence of Impact on Health and Social Outcomes

The employees who need medical and sick leave the most are often the ones who do not have it. Workers in part-time and low-paying jobs are not given leave, even though the nature of their jobs may put these workers at greater risk of getting sick, making their co-workers sick, or even making their customers sick.⁶

More paid leave, family leave, or sick time have been shown to help produce positive health outcomes for child and maternal health (e.g., by giving the mom time off to take the child to the doctor) and help communities by preventing the spread of some diseases like the flu and by helping prevent chronic disease.



Babies whose mothers stay home longer are healthier. When mothers can stay at home because they have leave, babies have higher birth weights and lower death rates, they are breastfed more and for longer periods of time, and they have routine pediatric check-ups, all of which lead to better health outcomes.⁷ Because the FMLA does not give mothers paid leave to stay home, many new mothers have to return to work, at least part-time.



People with sick days can use them to go to the doctor and be screened for cancer or other health issues. Women who do not have paid sick, compared with women who do, are less likely to have received a mammogram or Pap tests.⁸ These screenings are vital because they can detect cancers and pre-cancers at earlier stages, making treatment and survival more likely. In 2016, approximately 25 million people contracted the flu;⁹ there is evidence that some of these illnesses may have been avoided if workers could take sick leave or “flu days.”¹⁰ Not having access to paid leave is especially important for restaurant workers because of their close contact with other people; one survey found that 63 percent of these workers cooked or served food while ill.¹¹

¹ “U.S. Bureau of Labor Statistics. National Compensation Survey: Employee Benefits in the United States,” Bureau of Labor Statistics, March 2016 (Tables 32), <https://www.bls.gov/ncs/ebs/benefits/2016/ownership/civilian/table32a.htm>

² Ibid

³ “Paid Sick Days: Good for Business, Good for Workers”, The National Partnership for Women & Families, August 2012. <http://www.nationalpartnership.org/research-library/work-family/psd/paid-sick-days-good-for-business-and-workers.pdf>

⁴ “National Compensation Survey”, 2016.

⁵ Margaret Wadsworth, “Permanent and Temporary Workers’ Comp Benefits in Colorado”, Disability Secrets, 2016, <http://www.disabilitysecrets.com/resources/workers-comp-benefits-colorado.htm>

⁶ Supria Kumar et al., “Policies to Reduce Influenza in the Workplace: Impact Assessments Using an Agent-Based Model”, American Journal of Public Health (2013): 1406-1411

⁷ Maya Rossin, “The Effects of Maternity Leave on Children’s Birth and Infant Health Outcomes in the United States”, Journal of Health Economics (2012): 221-239.

⁸ Lucy Peipins et al., “The lack of paid sick leave as a barrier to cancer screening and medical care-seeking: results from the National Health Interview Survey”, BMC Public Health (2012): 520.

⁹ “Estimated Influenza Illnesses”, Center for Disease Control, 2016, <https://www.cdc.gov/flu/about/disease/2015-16.htm>

¹⁰ Supria Kumar et al., “Policies to Reduce Influenza in the Workplace: Impact Assessments Using an Agent-Based Model”, American Journal of Public Health (2013): 1406-1411

¹¹ “Serving While Sick”, The Restaurant Opportunities Centers United, 2010, http://rocunited.org/wp-content/uploads/2013/04/reports_serving-while-sick_full.pdf.



People with family medical and sick leave keep their jobs longer and eventually make more money. In California and New Jersey, poorer workers who used the state-funded medical leave kept their jobs longer. In California, these workers were paid more after they came back to work.¹² In New Jersey, mothers who were able to take paid leave after the birth of a child were more likely to be employed nine to 12 months later than mothers who did not take leave.¹³



The National Alliance on Mental Illness notes that sometimes people need to take time off to cope with a psychiatric issue.¹⁴ The lack of paid leave frequently prevents people from seeking preventative care, including screening for mental health and substance abuse issues; they are also more likely to go to work when they are ill, including suffering from anxiety or depressive symptoms. One study showed that mothers who took more than 12 weeks of maternity leave reported improvement in their overall mental health, fewer depressive symptoms, and a marked reduction in severe depression.¹⁵

Conclusion

Increased access to paid leave, whether longer-term family leave or short-term sick time, have clear positive impacts on individual, community, and societal health, such as allowing for individual behaviors that protect communities and populations against communicable illness and chronic diseases. Yet many workers both in Colorado and across the country still do not enjoy the benefits of paid leave.

¹² "Paid Family Leave: Strengthening Families and Our Future", National Center for Children in Poverty, April 2012, http://www.nccp.org/publications/pdf/text_1059.pdf.

¹³ Ibid

¹⁴ L. Mather et al., "Job strain linked to increased sick leave due to mental disorders", *Journal of Occupational and Environmental Medicine* 57 (2015): 858-65

¹⁵ Pinka Chatterji and Sara Markowitz, "Family Leave After Childbirth and the Mental Health of New Mothers", *J Ment Health Policy Econ* 15 (2012):61-76