

Paid Leave Trends

Legal Updates &
Thoughts on Compliance

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Agenda

- Background
- What we're seeing
- Ways to comply

Background



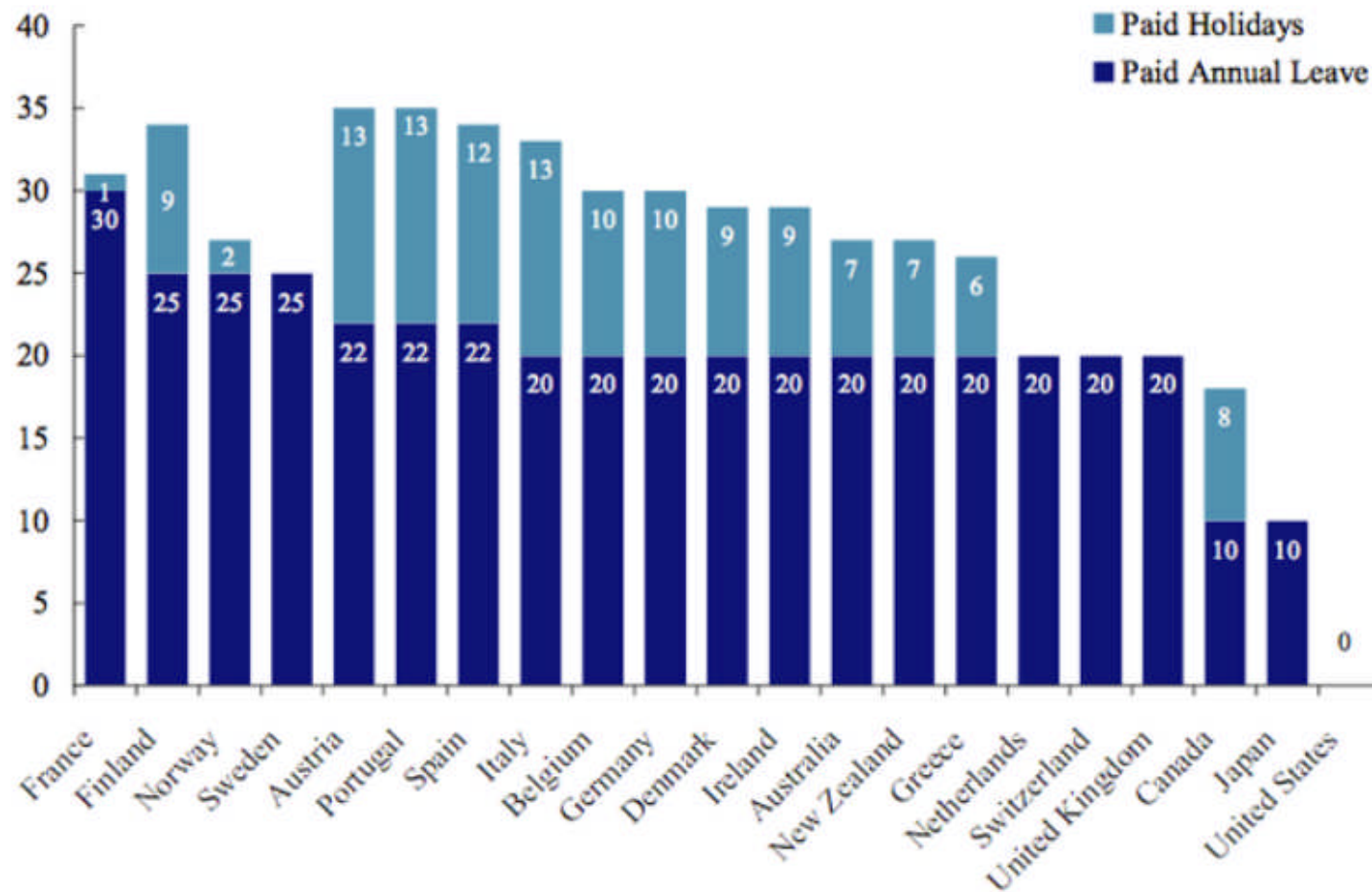
HOW LONG SHOULD A MAN'S VACATION BE?
President Taft Says Every One Should Have Three Months—What Big Employers of Labor and Men of Affairs Think on the Subject.

The clippings include the following names and snippets of text:

- Mr. H. Transill, President of the Lumbermen's National Association:** "The man's vacation should be three months. It is the only way to keep him fit to do his duty." (Note: This is a misreading of the text; the actual text in the image is: "The man's vacation should be three months. It is the only way to keep him fit to do his duty.")
- Mr. H. Clegg, President of the U. S. Steel Corporation:** "It is my belief that the vacation should be three months. It is the only way to keep him fit to do his duty."
- Other names mentioned:** Julius Allen B. Parker, Albert Hartmann, Benjamin Franklin, and Frank Whelan.

Background

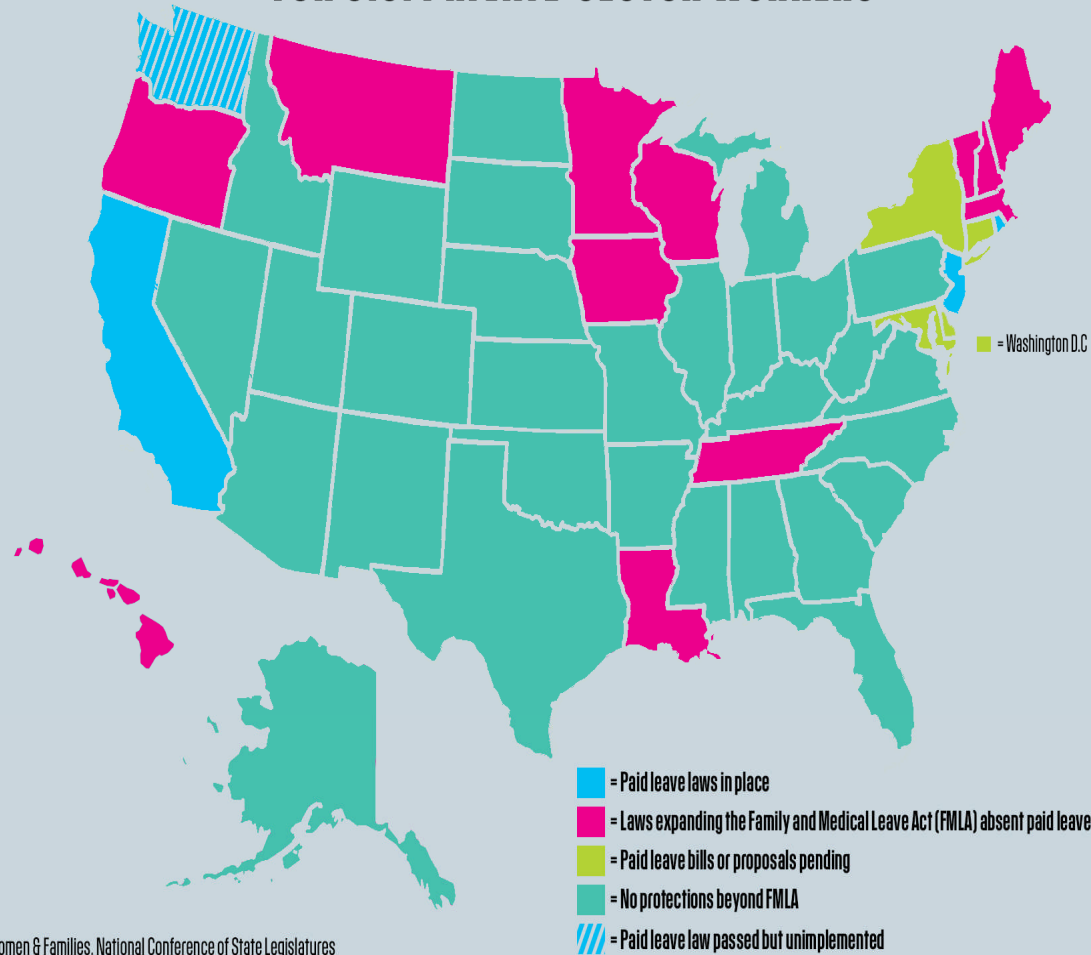
Paid annual leave and paid public holidays, OECD countries, in working days



Background

- Unpaid leave
 - FMLA
 - State family medical leave laws (primarily unpaid)
 - School-related leave
- Paid leave
 - Maternity/parental leave
 - Family leave
 - Sick leave

PAID FAMILY AND MEDICAL LEAVE LAWS FOR U.S. PRIVATE-SECTOR WORKERS



Source: National Partnership for Women & Families, National Conference of State Legislatures

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What We're Seeing

- 1 – push for paid maternity leave

- Australia
- Cuba
- Germany
- Iran
- Iraq
- Mexico
- North Korea
- United States
- Cuba (18 @ 100%)
- Iran (16+ @ 66%)
- Germany (14 @ 100%)
- Mexico (12 @ 100%)
- North Korea (11)
- Iraq (8.5 @ 100%)
- Australia (0; 52 unpaid)
- United States (0; 12 unpaid)

What We're Seeing

- 2 – increase in paid family/parental leave
 - DOL funding
 - Family leave
 - California (2004/2018)
 - New Jersey (2009)
 - Rhode Island (2014)
 - New York (2018)
 - Parental leave
 - San Francisco, CA (2017 & 2018)
 - Netflix, Amazon, Bill & Melinda Gates Foundation, PayPal
 - Paternity leave
 - Massachusetts (2015) (unpaid)

What We're Seeing

- 3 – explosion of paid sick leave laws
 - Federal level
 - Executive Order 13706 (2017)
 - Healthy Families Act

What We're Seeing

- 3 – explosion of paid sick leave laws
 - State level
 - Connecticut (2012)
 - Massachusetts (2015)
 - California (2015/2015/2018)
 - Oregon (2016)
 - Vermont (2017)
 - *Other end of the spectrum*
 - Michigan
 - Indiana

What We're Seeing

- Sick leave

- San Francisco, CA (2007/2017)
- Washington, D.C. (2008/2014)
- Seattle, WA (2012/2016)
- Long Beach, CA (2012)
 - hotel workers only
- SeaTac, WA (2014)
- *Portland, OR (2014)*
- Jersey City, NJ (2014/2015)
- New York, NY (2014/2016)
- Newark, NJ (2014)
- Passaic, NJ (2015)
- East Orange, NJ (2015)
- Paterson, NJ (2015)
- Irvington, NJ (2015)
- Oakland, CA (2015)
- Montclair, NJ (2015)

- Trenton, NJ (2015)
- Philadelphia, PA (2015)
- Bloomfield, NJ (2015)
- Emeryville, CA (2015)
- Los Angeles, CA (2015)
 - hotel workers only
- New Brunswick, NJ (2016)
- Tacoma, WA (2016)
- Elizabeth, NJ (2016)
- Plainfield, NJ (2016/2016)
- Montgomery County (2016)
- Los Angeles, CA (2016)
- San Diego, CA (2016)
- Spokane, WA (2017)
- Minneapolis, MN (2017)
- Santa Monica, CA (2017/2017)
- Chicago (2017)

What We're Seeing

- Sick Leave—Common Provisions
 - Medical Certification
 - Carryover of accrued hours
 - If full amount of leave frontloaded at beginning of year, no carryover requirement
 - Accrued unused hours not paid out upon termination

Ways to comply?

- PTO policy
- Front load leave
- Highest common denominator
- ERISA plan?