

# Building the Next Generation of State Paid Leave Programs

March 2023

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This report was written by Tess Abrahamson-Richards, AK Sterling, Keala Aronowitz, and Jodi Sandfort. Rebecca Grady (Washington State Department of Employment Security) and Heather Hill (University of Washington) organized the convening as part of a multi-year research partnership supported by the Perigee Fund. The team also benefited from the talents of Cali Jahn, Aj Foltz, and Jessika Gill.

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<https://evans.uw.edu/community-engagement/epic/paid-family-medical-leave/>

## INTRODUCTION

In March 2023, nearly 50 state implementers, researchers, and advocates from across the country gathered over two days to discuss the impact and implementation of state-level paid leave policies. Convened by the Evans Policy Innovation Collaborative (EPIC), a policy lab and engagement platform at the Evans School of Public Policy & Governance at the University of Washington, state leaders came from diverse settings, each at distinct stages in implementation. The convening was an opportunity for cross-state dialogue, to see points of synergy for ongoing paid leave implementation improvement and creative problem solving.

Human-centered design is fundamental to EPIC's work in bringing together researchers, practitioners, policymakers, and the public to co-design actionable solutions to complex societal problems so that our public systems serve all individuals equitably and justly. Human-centered design is an approach that focuses on the needs and experiences of users in a system. It is the application of an intentional design process to improve the connection between identified needs and what exists by creating opportunities for dialogue to better understand problems and then co-create potential solutions to them.

This convening leveraged various engagement techniques to foster knowledge sharing, interaction, and active learning. This approach was taken because the implementation of paid family and medical leave laws happen within complex systems. If evidence-based research can be leveraged through engagement of implementers in various roles, we can deploy a more systematic approach to identifying and grappling with policy and management challenges, and support public agencies adapting to the needs of the communities they serve.

This report provides a summary of the rich lessons that emerged from the convening, insights that have grown out of years of organizational and front-line implementation, paid leave research, and policy and community advocacy. Our discussions yielded some important information for the field. These cross-state themes include: administrative implementation challenges, state-level innovations, employer dynamics, program reach and equitable access, formal studies of paid leave's impact on families, and the significance of building networks among implementers.

Appendix A of this report further explains our meeting methodology to provide a resource for those interested in this type of participatory approach to meeting facilitation. Appendix B provides a snapshot of attendees. Appendix C provides state-level summaries from those states in attendance at the convening. A brief summary on the current state and future directions of a federal paid family leave policy, offered by one of the attendees can be found in Appendix D. Finally, Appendix E is a list of resources curated by attendees. By sharing these resources, we hope to support more effective implementation in these states and others who pass similar policies in upcoming sessions.

## WHY WE CONVENED

Since the start of Washington's Paid Family & Medical Leave (PFML) program in 2020, Washington's Employment Security Department (ESD) has collaborated with various partners to evaluate the paid leave program, including the University of Washington (UW)'s Evans School of Public Policy & Governance. Three years later, Washington's PFML program has expanded and evolved to be a robust support for individuals needing to take paid leave from work for an array of reasons, such as caring for a family member or welcoming a new life into the world. This evolution in Washington occurred as other states continued to implement their own programs, and new state laws were passed in other places.

Perigee Fund and ESD recognized there would be value in convening state leaders in this national movement from various states to share lessons & challenges about the implementation and early outcomes of state paid leave programs; spark conversations about evidence we have and evidence we need across states; and create interest in ongoing connection and opportunities for collaboration. As part of a multi-year evaluation of Washington's PFML program, Heather Hill, Professor at the Evans School, and Rebecca Grady, Data and Research Manager at ESD, proposed a meeting of researchers, operations managers, and advocates from multiple states, particularly those in the second generation of paid leave programs started since 2020 (see inset box).

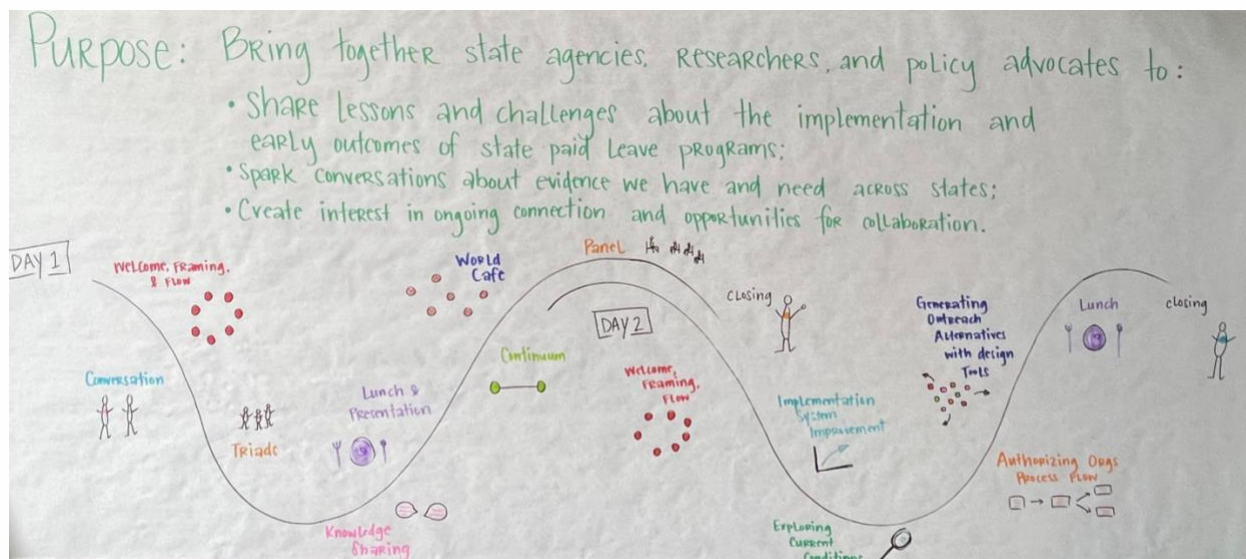
The meeting, titled, "Next Generation PFML: A Convening of Research and Practice Experts" occurred on March 9 and 10, 2023. Each state represented various stages in state implementation, and different knowledge about impact. It was noted that – typically – states do not have the opportunity to come together and share work. This diversity of location and roles allowed people to see firsthand how their work is informed by the work of others. The representation in the room allowed everyone to learn from others about past and current research, challenges, and ideas.

Forty-six people (invited intentionally because of their background, job, area(s) of expertise and research specialty) attended. They came from:

Washington, Oregon, Colorado, Minnesota, Massachusetts, New Jersey, New York, and Washington D.C.

People had various roles in their states including program directors, operations managers, professors, doctoral students, research analysts and policy advocates.

On the first day of the convening, we unearthed what is known about paid leave across the states about the impact of current policies and the current challenges to effective implementation. Day Two introduced an evidence-informed approach to improving implementation, using techniques from human-centered design to generate ideas for effective outreach to engage historically disenfranchised workers. Each activity set in place created an opportunity for attendees to help brainstorm ideas and potential solutions as each state is on different journeys with paid leave implementation.



## WHAT WE LEARNED

Comparing and collaborating across states provided the opportunity to think about new possibilities for paid leave implementation in their home state and problem-solve in real time with their peers throughout the nation. The themes and resources below summarize some of these takeaways.

### Paid Leave 20 Years In

The first paid family leave program rolled out in California in 2002. Other states followed one at a time, slowly at first and then more rapidly. In 2023, eleven states and the District of Columbia have passed paid leave programs. The benefits of these programs are clear, both in the existing research base and from individual's powerful anecdotal experiences. One state administrator referred to paid leave as a stabilizing force during your greatest moment of need. However, while these life changing programs have – and continue to – proliferate across the nation, passing paid leave legislation occurs in a specific policy context. To an extent, states that are able to pass paid leave share commonalities in terms of political party preference and socio-demographics. This has implications for whether or not there will be national access to paid leave in the short-term, and the path towards a federal paid leave policy is anything but clear. As is described in more depth below, attempts have so far failed to pass this national-level legislation and there are not currently many encouraging signals that this will change in the near future.

There has been a wealth of research on paid leave both within the United States and internationally. A conversation between Heather Hill and Jane Waldfogel, Professor at Columbia University's School of Social Work, respectively, emphasized what we know about paid leave impact to date and what future studies ought to prioritize.

The main reason leave is taken is to attend to one's own illness, yet we know very little about the impacts of medical leave. Most studies of the impact of paid leave focus on leave taken to care for a new child in the family. The evidence suggests clear positive outcomes for maternal and child health. Paid leave is consistently found to support women's returns to work, particularly for the same employer, after giving birth. Newer research suggests that paid leave is not perceived negatively by employers after it takes effect.

Waldfoegel emphasized a few key areas that are important to study next, particularly with an eye towards informing a potential federal paid leave policy. She encouraged researchers to study nuanced questions regarding the benefits of specific leave duration, eligibility rules, definitions of family, and benefits caps and generosity. Given the variation in state law, a 'natural experiment' is now happening across the country that will enable this type of systematic investigation. She also highlighted the essential importance of knowledge-sharing and research collaborations between academia and state agencies to advance these investigations.

Other small group sessions emphasized opportunities to better conceptualize and measure outputs (e.g., benefits take-up), as well as ways to improve merging data and data sharing between government programs. There are ever-increasing opportunities for policy researchers and academics to explore important questions as more paid leave programs are being introduced at the state level across the country and there are many avenues to pursue these items.

### **Strategizing Program Reach and Equitable Access**

More than any other topic, outreach stood out as a critical theme that all states are thinking about. Whether it's how to even define and measure outreach or address which workers the benefit is reaching or not reaching, states are continually assessing this element of the program. By and large, having *too much* program take up is not an issue – most states have the resources to serve more workers, and all states would like to serve all the people who qualify for benefits. In tandem with this, equity is top of mind. Though improvements are needed in demographic data collection and completeness, states are documenting that disparities by demographic characteristics are evident at every stage – from who is receiving outreach, to who is submitting applications, to denial rates or likelihood to appeal these denials.

Outreach funding is a common gap, and it is therefore of critical importance to identify effective, broad-reaching program marketing strategies. States have used large-scale public media campaigns, web-based interactive resources, and individual-level marketing via community and healthcare organizations. Continuing to leverage these latter touch points is a key strategy that paid leave administrators find to be important, particularly after the initial awareness campaign in a given state concludes.

**Outreach Strategies:**

Posters and brochures in hospitals, local libraries, and trusted community messengers were a few examples convening participants gave for how they have positioned outreach within community and healthcare settings. Building and utilizing community partnerships to reach workers is an art with many potential approaches. It is also vital to promoting equity.

As noted above, it is clear that there is a need to address equity in who has access to paid leave. States have purposefully designed their eligibility rules to be inclusive. However, sometimes there are policy barriers that are outside of the control of the implementing agency itself. For example, many states do not offer job protection to all workers who are eligible for paid leave. In these cases, those doing outreach must balance informing workers about the benefit while also being transparent about any potential risks.

Additionally, reaching more marginalized workers to make them aware of benefits and to support them in applying has proven difficult to systematize. Some states are trying to address this by building networks of community partner organizations who can act in a “navigator” capacity for applicants. Others are working with health systems to integrate program information into other resources patients receive during an appointment or hospital stay. Some states are utilizing mailings, and many are using social media. Identifying and measuring where paid leave recipients hear about the program is an important strategy that states will continue to use to inform their outreach efforts.

As Pamela Joshi and Julia Goodman noted in their session “Centering Racial Equity in Paid Leave Research,” more studies that document current equity gaps throughout the levels and stages of paid leave program implementation are needed. Ever more continues to be learned about the experiences and challenges of specific subgroups of marginalized workers, how intersectional identities (e.g., gender and race in tandem) shape leave access experiences, and the most efficient uses of data and research design to center equity – and this is an important area of continued priority and research development. State paid leave programs and researchers are energized to continue their work together to pursue these priorities.





### **The Magic in the Mundane: Administrative Implementation Challenges**

States with paid leave programs are excited about continual opportunities to improve their administrative and user-facing systems. User experience, accessibility, and application facilitation are key areas of focus for ongoing implementation within states who have been implementing paid leave for several years and are equally important for states close to rolling out payments who are striving to get ahead of avoidable barriers. Many states do not have the information technology resources to meet their paid leave program's vision, as most applications and internal reviews happen via online portals. While some hiccups in operations seem small, each user interaction with a paid leave program's online, telephone, and paper systems presents potential barriers to access. Critical priorities include intuitive interfaces, plain language, translations into and from a user's preferred language, and preventing gaps in necessary information within user and health care provider submission forms.

- *Most states built on existing programs to design paid leave administrative infrastructure (e.g., temporary disability insurance or unemployment insurance). While this has the obvious benefit of providing a template and infrastructure as a starting point, it also introduces into paid leave programs administrative logics that were not designed for the paid leave-specific context. For example, a weekly time reporting system designed for an unemployment insurance program may be an unnecessary and burdensome requirement for new parents or family members supporting terminally ill parents who are using paid leave. We learned that many states spend a great deal*



of time adjusting these pre-existing structures during the early years of paid leave implementation.

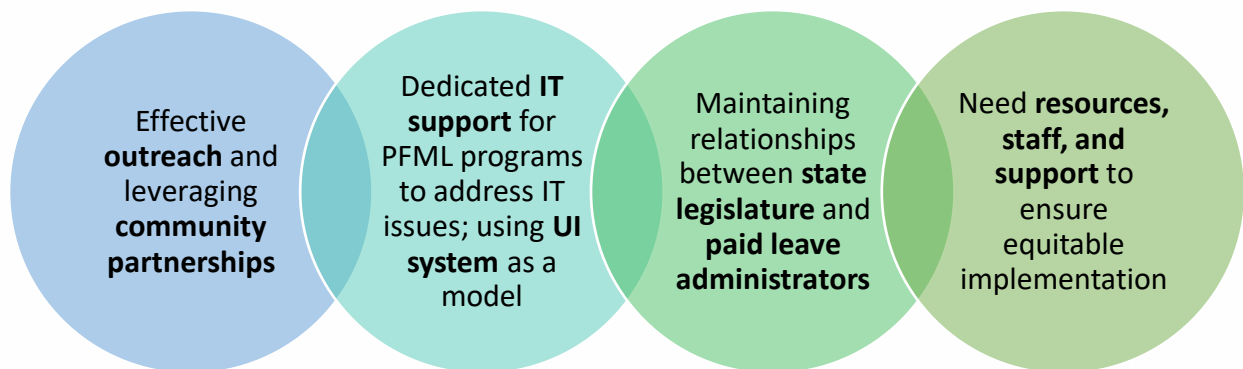
- *Because each paid leave program was created within a specific, unique state context, each state developed its own administrative processes for intake, processing, and benefit awards.* To capture this variation and create space for the cross-pollination of what works well, we engaged in state discussions about the existing administrative processes. This built on ongoing inter-state conversations in which administrators ask one another questions and share ideas.
- *Data gathering is another important administrative priority.* States grapple with the complex task of identifying what needs to be measured for internal quality improvement and external reporting purposes. It is difficult, for instance, to measure the universe of workers with a qualifying event, and even more so to measure the degree to which those workers have a need for paid leave. States have identified numerous interesting possibilities for data collection, and it is important to prioritize those that are most essential and feasible while leveraging scientific resources to inform rigorous research designs.

### **Consistent Implementation Challenges**

User experience, accessibility, and application processing are key areas of focus for ongoing implementation within states who have been implementing paid leave for several years. As illustrated in Figure 1, four major themes were shared across various states around implementation challenges and specific strategies that were enacted to improve worker's access to paid leave.

- **Comprehensive Outreach:** Effective outreach and utilizing community partnerships are great ways to spread information but can be one of the biggest challenges states face. COVID-19 made this especially challenging for states that launched their paid leave programs during 2020-22. Review of administrative data reveals that workers are not utilizing the state programs consistently and that inequities exist among workers from communities that are historically marginalized in the labor market because of racial identity, employment skills, or low wages.
- **Information Technology:** Information technology is central to streamlined and accessible paid leave application processes. Having sufficient dedicated IT support and robust infrastructure is vital, and is a barrier often identified by states working within resource constraints and navigating the learning curves inherent in rolling out a large and complex program. In particular, the electronic transfer of information between applicants, health care providers, and the state is an area ripe for challenge on the one hand and implementation innovation on the other.

- **Relations between the State Legislature and Paid Leave Administration Department:** As implementation gets under way and opportunities for improvements are identified, it is important for state paid leave administrators to build and sustain a healthy relationship with government officials who made decisions around the policy. This facilitates ongoing program sustainability and quality as well as opportunities for collaborative improvements via legislative channels.
- **Achieving Equitable Implementation:** Unintentional program design features and broader existing contextual factors lead to significant barriers to paid leave access that disproportionately impact communities who experience other systemic marginalization. Resources, staff and institutional support, and purposeful action are necessary to promote equitable paid leave implementation.



**Figure 1:** Major Themes in State Implementation

But states involved in implementation aren't just noting the challenges; they are developing and deploying strategies and tactics that try to respond and support uptake implementation. For example, community partnerships and clear messaging are essential to an increase in take up. Effective tools and clear information on how to apply will help guide all applicants throughout the process and make it seamless for them. For those needing additional support, creating opportunities for one-on-one in-person support is helpful, especially for underserved communities. Making sure that multiple languages are available for translation to reach multicultural communities is another tactical response to help assure the benefit is accessible.

### **Cross Pollinating State-Level Innovations**

States are continually strengthening their relationships and communication with one another and with allied external entities such as policy researchers, foundations, and policy change advocates. As the community of states with paid leave programs grows, the new states have a wealth of knowledge, policy language, procedures, and other resources to draw on in designing and administering their programs. At a moment in time, there is a snapshot of conditions about program implementation that reveals a lot about what is being accomplished in implementation. (See Appendix C).

#### **How can cross-state comparisons inform implementation decision making?**

In her session "Using Simulations to Compare Policy Designs", University of Washington doctoral candidate Elizabeth Pelletier showcased how we can use cross-state comparisons to reveal the components of efficient and effective policy decisions. She used data from Washington to model paid leave eligibility across states, highlighting how disparities in eligibility by race, wage, and education result from each state's current eligibility criteria. She also discussed efficiencies in data sharing between agencies and across states.

Opportunities like this convening, or the common administrator-to-administrator phone call, provide settings where discussion around every detail of paid leave - from big picture policy conversations to in-the-weeds knowledge about a specific program design feature that impacts the customer experience at the frontline level - can be explored and refined. States officials reflected on the complexity in the initial phases after policy adoption. Many decisions need to be made to get these universal programs up and running and yet, it is impossible to think of every detail before the program rolls out. Small and large "fixes" throughout the life of the program are necessary and an approach of continuous quality improvement should be embraced. In the room we had a variety of state leaders, those with 20-year programs and those with pending new initiatives. Dialogue across time and developmental stage is beneficial for all as it introduces new questions and ways of approaching common issues to accelerate progress nationally.

### **The Black Box of Employer Dynamics**

Employers are a key constituent within the paid leave policy environment. Employers are important to program uptake, equity, and overall success because they have a relationship with the state paid leave program and with employees who may take paid leave. Soon after passage of the state laws that establish the program, states spend a great deal of time and resources conducting outreach and education to employers to build support and awareness. While support tends to build and stabilize over time, employers and employer organizations can be vocal opponents of state paid leave programs and/or their specific features. Factors such as employer size and industry also seem to play a role in paid leave awareness and experience. This has implications for workers who must navigate the employer dynamic when accessing leave. Additionally, lack of job protection for some workers who are eligible for paid leave is a prominent identified barrier in many paid leave

states. This disproportionately affects workers in lower-wage or otherwise more marginalized employment settings. Much is still unknown about how these employer-employee dynamics influence paid leave reach, and it is an important identified area for future investigation and innovative responses.



### **Building Networks**

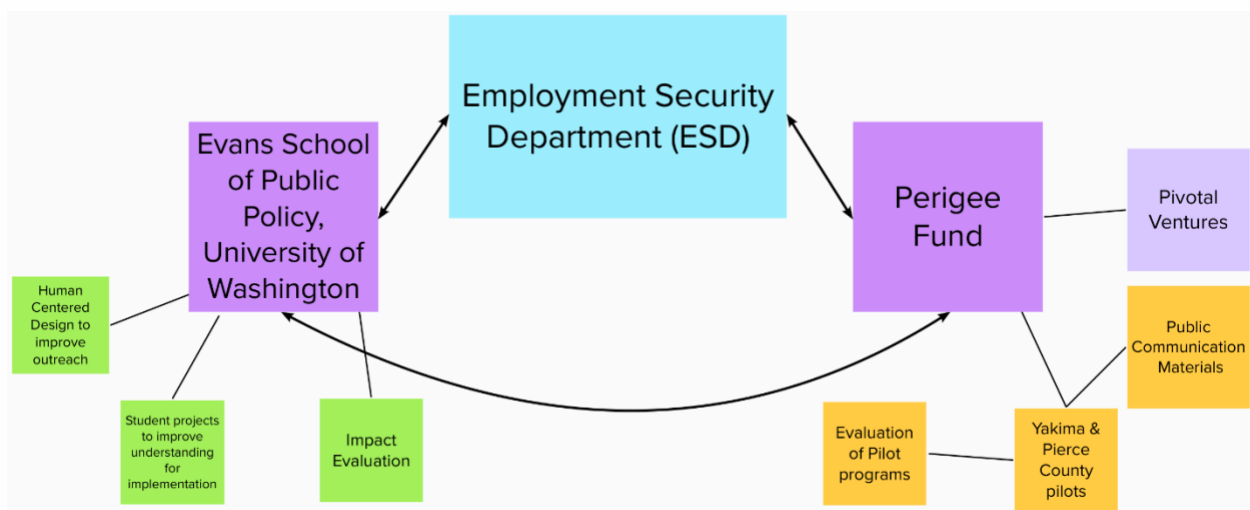
Many of the themes above speak to a larger overarching theme of the importance of networks in policy implementation. Some key networks highlighted by convening participants include:

- Policy networks within and across states
- Learning networks between the national paid leave research community, evaluators, and internal state paid leave research teams
- Peer-sharing networks to support state legislative and implementation processes; community relationships within each state to support outreach
- Relationships between state programs and their other support networks, such as foundations and policy organizations.

To nurture the development of these networks, participants were invited to share resources throughout the convening. A link to these resources and a description of them can be found in Appendix D. Materials include research reports and publications, reports describing specific state paid leave program designs and policy examples, and tools to support program evaluation. The materials are gathered in a Google Drive shared space

that can continue to be enriched. In this way, it can provide a virtual platform for knowledge sharing relevant to program implementation.

As illustrated in the example in Figure 2 from Washington state, the state policy field network for paid family and medical leave is bolstered by a much broader network of organizations. In this case, two additional hubs in the implementation network are an academic evaluation and design partner at the University of Washington, and the Perigee Fund – a philanthropic entity – that has leveraged its resources and unique positioning to help bridge the gap between state agencies and community-level implementers. Mapping out the paid leave implementation network in a given state and comparing it to implementation needs and priorities (e.g., outreach needs) is a useful exercise for identifying important support resources and potential gaps.



**Figure 2:** Washington State Paid Family & Medical Leave Evaluation & Implementation Partners

In every paid leave state, the strength of the system's networks heavily influences program reach and impacts, the degree of simplicity and resource availability in implementation processes, and the supports available to those doing the hard work of frontline implementation in workplaces, community organizations, and the state's help desk. Continuing to intentionally nurture and assess these networks and connections is an important ongoing priority for the future success of existing programs as well as for facilitating future state- and national-level policies.

## **CONCLUSION**

Next Generation PFML created a pathway for state implementers, policy advocates and researchers to collaborate in a way that best supports paid leave across various states. Over the span of this national gathering, relationships were formed, research was shared, and new ideas were generated to position paid leave to be an impactful benefit that individuals and families can take advantage of.

Moving forward, we encourage attendees to have open lines of communication with one another to address specific challenges and pain points such as data, implementation, and outreach. As research continues to develop, we envision that information and resources can be shared to keep everyone involved informed.

At the University of Washington, the EPIC team will continue its work in partnership with ESD and Perigee Fund to evaluate and support Washington's paid leave program to develop implementation strategies that support equitable program take-up by human-centered design through April 2024.

It is our hope that this national convening can be a starting point for continued and increased collaboration and idea generation across states for many years to come.



## **APPENDIX A: METHODOLOGY OF HOSTING AND DESIGN PROCESS**

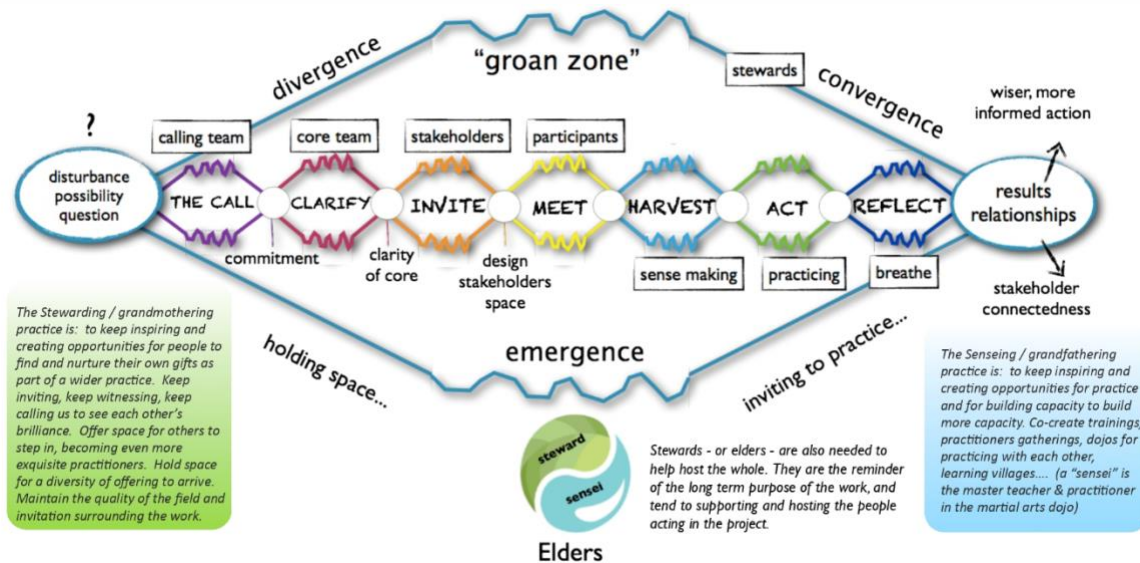
Next Generation PFML: A Convening of Research and Practice Experts was hosted by the Evans Policy Innovation Collaborative (EPIC) using participatory design-based practices that are simple yet impactful. This methodology, called The Art of Hosting and Harvesting Conversations That Matter, allows for stakeholders to engage in meaningful conversations to share collective wisdom in order to better navigate the complexity of our work and find new solutions to take action on.

This intentional, human-centered design process can be applied to all areas of our lives. In the public sector, applying design methodology allows for a structured approach to explore what exists, generate new ideas, test and assess them, and then iterate on what is learned through the design process. This approach invites stakeholders to share their valuable ideas, stories, lived experiences, and perspectives to better define and understand problems, and ultimately to co-create solutions that meet the needs of those affected. When design methodology is applied to policy and implementation challenges, the results can support organizations and public agencies in adapting to the needs of the communities they serve by informing actionable solutions that support systems change over time.

The design of the Next Generation PFML convening and facilitation process was based on the need to convene this group of people at this particular time around a purpose that the hosting team defined at the outset of the project: to bring together state agencies, researchers, and policy advocates to share lessons and challenges about the implementation and early outcomes of state paid leave programs; spark conversations about evidence we have and evidence we need across states; and create interest in ongoing connection and opportunities for collaboration. Practicing in this methodology calls for designing our conversations around the harvest, or the results, that we want to emerge from the engagement.

### **Methodology of Design Process**

A process design tool called “The 8 Breaths of Process Architecture” is an outline for how to plan such engagements to invite collective collaboration from participants.



**Figure 3:** *The 8 Breaths of Process Architecture*

First, the core question that convening participants would address was identified. Here, the Evans School of Public Policy & Governance and the Washington State Employment Security Department served as the callers, defining why there was a need to bring this group of people together and what the intention was in convening them to share expertise. Next, we solidified the hosting team and clarified the purpose and harvest we would design for. Once the need, purpose, and hosting team were clear, we developed an invitation to share with potential participants. The invitation is the first indicator of the experience, and it must be created with intentionality to reflect the tone and feeling of the engagement. When people are invited well, they feel engaged before the event even begins.

The convening itself was designed to ensure that each practice or activity is in support of the purpose of the engagement so that conversation yields the intended harvest. The role of the host is to hold a container for the group that centers the purpose with powerful questions which allow collective wisdom to emerge. Throughout the convening, graphic recording was utilized to harvest the expertise and knowledge of participants, which is a combination of words and pictures on posters and large-format paper taped on the walls and floors around the room. Documents such as these use visuals to help participants remember the conversation and connect to it after time has passed. Participants were invited to engage in harvesting, an action that connects their conversation to writing and drawing, enabling them to internalize and reflect on the information being shared.

Following the meeting, the hosting team reviewed the harvest documents in a process of collective sense-making to identify underlying patterns that may shape future actions. Multiple perspectives in this process are beneficial in order to help make sense of what one person cannot see alone. Wise, collective decisions are taken about which patterns,

themes, and next steps to highlight as they will direct future action. The hosting team then followed up with the participants to share the harvest, invite feedback, and encourage connection for continued learning and leading from the field in the form of action rooted in the purpose.

An important step in the process is reflection for the callers, the hosting team, and the participants. This includes self-reflection, team reflection and debrief, and reflection from key stakeholders, noting that the experience has wisdom that can be gleaned through the process of inquiry. Key learnings could result from questions such as: *What was learned? Did the design align with the need and purpose? What are the next steps?* Finally, the process ends with attention to the whole: connecting as a team or community around the intention behind our collective work, tending to the practice and realigning with the purpose of why we are called to this work, and caring for the well-being of everyone in the system.

## **APPENDIX B: LIST OF ATTENDEES**

### **Policy Advocates**

Dave McKenna, Massachusetts  
Preston Van Vliet, National  
Sam Abbott, National  
Cassandra Gomez, New York  
Choua Vue, Oregon  
Lisa Kwon, Oregon  
Sharon Bernstein, Oregon  
Becca Graves, Washington  
Gabriela Quintana, Washington  
Mariel Mendez, Washington  
Marilyn Watkins, Washington  
Shannon Grimes, Washington  
Sapna Mehta, Washington D.C.

### **Researchers**

Jennifer Greenfield, Colorado  
Erin Choquette, Connecticut  
Pamela Joshi, Massachusetts  
Ankita Patnaik, National  
Jane Waldfogel, National  
Quinn Rapp-Ellis, New York  
Alice Gates, Oregon  
David Rothwell, Oregon  
Julia Goodman, Oregon  
Kaitlynn Chritton, Oregon  
Tjorven Sievers, Oregon  
Brian Kennedy, Washington  
Jose Hernandez, Washington  
Julie York, Washington  
Matt Hasso, Washington  
Olga Kondratjeva, Washington  
Rebecca Grady, Washington  
Callie Freitag, Washington  
Jennie Romich, Washington

Lizzy Pelletier, Washington  
Tess Abrahamson-Richards, Washington  
Tom Lindman, Washington  
Heather Hill, Washington  
Elliot Schreur, Washington D.C.  
Makayla Luis, Washington D.C.

### **State Implementors**

Joe Barela, Colorado  
Tracy Marshall, Colorado  
Andrew Pratt, Massachusetts  
Lisa Shepard, Massachusetts  
Evan Rowe, Minnesota  
Holly Low, New Jersey  
Jeff Flatley, New Jersey  
Alison Eldridge, Washington  
Angie Funaiole, Washington

### **EPIC Hosting Team**

Jodi Sandfort  
Keala Aronowitz  
AK Sterling  
Cali Jahn  
Jessika Gill  
Aj Foltz

## **APPENDIX C: SNAPSHOTS OF STATE-BY-STATE CONDITIONS**

Each state has its own journey in the implementation process for family medical leave, but rarely do they have the opportunity to share it with other interested parties. During the convening, as individuals shared their current conditions, it was captured on a “state-wall;” that information was shaped into a narrative that reflects the conditions and impact of paid leave implementation at this time.

### **Colorado**

Colorado’s paid leave was enacted in 2020. Premiums went into effect in January 2023 and benefits are expected to roll out in January 2024.

While they experienced voter support (57% support), as Colorado prepares to launch benefits provision next year, they are struggling with limited funding to build the system. The largest question they’re grappling with is how to build the technology to support the mission of paid leave and have used human-centered design to help fuel the creation of their approach.

In the short term, Colorado has made some strides since the program passed: they have 100,000 employers registered. Powered by challenges with child healthcare in 2015, the state learned a lot about community and family engagement; they will include English & Spanish languages for employers and claimants when they launch benefits; they are working hard to launch with digital applications (disincentivizing paper and phone); and they will do quality assurance checks on translations, especially from vendors. Colorado is planning to continue to learn from other state’s benefits launch and other dimensions of implementation. In addition, they will continue to work on building relationships with employers.

### **Massachusetts**

Massachusetts enacted their paid leave benefit in 2018 and premiums went into effect in July 2019. Benefits went into effect January 2021.

After two years, Massachusetts finds that public knowledge of paid leave benefits remains low. This is in large part because of limited investment; there is limited marketing of the programs, and the most common form of outreach is through employers. Health care focused outreach is also important, as emergency rooms provide a common place where people learn about the connection to illness.

The state is grappling with other elements of policy and program design: they had to clarify the terms of leave benefit around medical leave versus bonding leave. They are also trying to build information about utilization to assure it reflects demographic characteristics such as race and ethnicity to allow them to deliver benefits equitably. Despite a low number of claimants, a survey found that 80 percent of claimants are satisfied with the paid leave benefit and utilization is currently split fairly equally between medical and bonding leave.

After reviewing data from call centers, they are working to translate the online application into other languages and make them more legible and comprehensible. In addition, they have video tutorials on how to apply that walk applicants through the process. They also are deploying a customer experience survey to claimants after the leave ends.

Massachusetts is curious about what “opt out” programs look like and whether or not it improves paid leave at the employer level. They are also interested in figuring out how to perform effective outreach campaign for the population, although they are constrained with limited funding for this activity. However, Massachusetts is starting to lean into other avenues to reach people more effectively, especially those who are in precarious work situations. One idea being considered is mailing people directly via other state agencies.

### **Minnesota**

Minnesota currently does not have a paid leave benefit but is in progress through the current legislative session that ends in May 2023. As such, Minnesota is focused on policy design and creating the implementation system by leveraging the information the state has on workers’ wage detail. The state would like to minimize future problems by learning from other states and are keeping equity centered in the work. They plan to translate into multiple languages to be made available online.

### **New Jersey**

In 2008, New Jersey became the second state in the country to enact paid leave. The benefit became effective in 2009 and expanded in 2019 and 2020.

Sharing information about the program continues to be a challenge: in recent surveys, general awareness among workers was 70 percent. The state contracts with a range of community-based and worker-based organizations to do outreach to various audiences who are historically under-represented. They also worked with other state agencies to share information including public health maternal care programs.

Like other states, building a robust administrative data system to track progress, assure continuous quality improvement, and document impact has been an issue. Specifically, they are finding it difficult to assess the impact of the paid leave benefit with current information.

### **New York**

New York’s paid leave was enacted in 2016 and became effective in 2018. It expanded in January 2022 following the pandemic.

New York’s paid leave model differs from other states because it was developed from an evolution of their temporary disability insurance program and, thus, is insurance based. Paid leave applicants receive up to 67 percent of their wages. The leave benefit does not come with job protection – something that those who attended this convening want fixed.



During the roll out, 20 state agencies came together to coordinate information sharing and implementation. One challenge has been building an appropriate administrative data system for evaluation and continuous quality improvement.

## **Oregon**

Oregon's paid leave bill passed in 2019 with contributions starting in January 2023. Benefits in Oregon are expected to start in Fall 2023. During this waiting period until benefits kick in, Oregon is starting to think about various factors that will help make it easy for Oregonians to take full advantage of paid leave.

One dimension is the definition of family. They are considering whether the state administrative office or another entity will define the unit. The nuances in how different groups of people define this is fundamental; state leaders are committed to being culturally appropriate and understanding the needs of marginalized workers. Another dimension is how Oregon will execute an outreach plan to increase workers' awareness of paid leave. Current discussions and existing outreach are shifting awareness, especially around expanded access to workers. They plan to hire multilingual staff to translate materials. A specific group Oregon wants to make sure they capture are farmworkers and figuring out a way to make sure that paid leave can work for them. The state will need to advocate for funding to support outreach through nonprofit service providers.

A final challenge is ensuring that employers are informed and committed to the program; initially, they have experienced some resistance. Many chose the voluntary plan (versus the state plan), and the state will continue to learn the results of that decision. In the next few years, Oregon plans to stay connected to other states that have launched their paid leave already.

Overall, Oregon is looking forward to the benefit roll out because they know it will be an exciting future for families. They also see paid leave as being a better option than unpaid national leave, as it will expand to more jobs and more languages.

## **Washington**

Washington's paid leave law was passed in 2017 and began collecting premiums in 2019. Paid leave benefits were launched in January 2020 right before the COVID-19 pandemic. At the beginning stages of the pandemic, Washington saw higher than anticipated leave take up. This led to long wait times for processing and payments – the highest wait being 10 weeks. The high demand shows the importance and need of the program, but it created problems for workers waiting for pay. A unique challenge that Washington experienced due to the pandemic was that the prior state's experience wasn't predictive. The pandemic also disrupted Washington's plans to do outreach in communities and shifted the way they communicated about the policy to employers. This had a domino effect on information being transferred to employees who needed the leave.

However, Washington is seeing improvement over the years and has been able to improve systems and hire more staff. When the policy began, it was staffed with just 10 people and now that number is over 300. One significant legislative change to the program is the newly broadened definition of family to include to now include extended family, unmarried partners, and housemates. Also, Washington is slowly seeing more men take advantage of paid leave over time. Additionally, Washington has engaged in continuous quality improvement. They do assessments of leave takers and have developed performance dashboards that will allow them to track the influence of changes in policy on results.

A unique factor in Washington is the philanthropic support they have received. In 2020, Perigee Fund began partnering with the state's Employment Security Department to support outreach and usage of paid leave in rural and historically underserved populations. Perigee Fund has worked to create local implementation networks with local nonprofits in Pierce and Yakima counties to support uptake in family bonding leave that is providing a learning lab for statewide take up.

### **Washington D.C.**

Washington D.C.'s paid leave was enacted in 2017 and was effective in July 2020 during the pandemic. They have expanded three times since.

Washington D.C. experienced lower than expected take up and are working to determine potential causes to why that may be. They are considering lack of outreach as a potential factor which correlates to the benefit launching during the pandemic when outreach strategies and plans were altered. In addition, the paid leave benefit has been unpopular with employers. However, there is positive feedback from claimants. Moving forward, they are targeting self-employed people to encourage them to opt into the benefit and understand the rules.

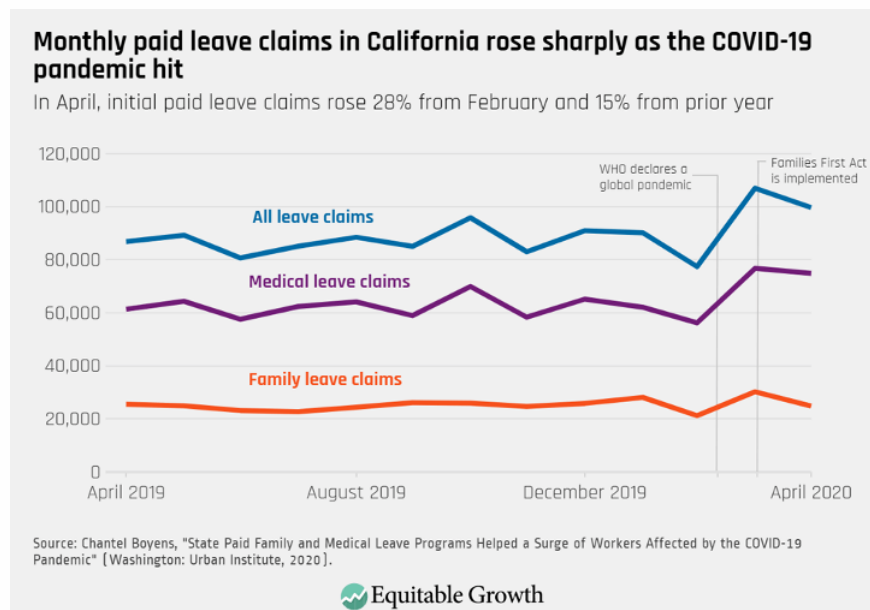
In terms of policy design, Washington D.C.'s paid leave's wage replacement is low relative to a claimant's income and is focused on District workers, not residents. As a result, more Maryland residents are participating in the leave than D.C. residents which creates some challenging realities as the program is benefiting more professional, economically affluent people. Troubling dynamics in the user group are coming into focus: Black and Brown applicants have the highest denial rates and Latinx claimants are less likely to appeal if denied. Like other jurisdictions, Washington D.C. is in the early stages of building a data system that can support continuous quality improvement and assessment of program impacts.

Washington D.C. is working to redefine what counts as "treatment" as any billable conversation with a healthcare provider. In addition, they are finding that they need broader data to determine what is anecdotal and what is not.

## APPENDIX D: NATIONAL LEVEL

Sam Abbott from the [Washington Center for Equitable Growth](#) briefed the group about efforts to create a federal paid leave program during the gathering.

The existing Family and Medical Leave Act was passed in 1993, which guarantees eligible workers job protection for unpaid leave taken up to 12 weeks for a qualifying event. This benefit does not extend any paid leave to workers. A national paid family and medical leave policy would build on this legislation, as well as the state-level paid family and medical leave policies outlined in this report. The Families First Coronavirus Response Act (FFCRA) of 2020 also provided some precedent of federal policy action. It offered paid sick leave and paid caregiving leave for COVID-related childcare and/or school disruptions through a tax-credit model of payments to employers. The data from state-level paid leave program claims during the pandemic also documents the gap in need met by state-level policies. As Figure 4 shows, there was the increase in paid leave claims at the onset of the pandemic and a slight decrease after the FFCRA went into effect.



**Figure 4:** Monthly Claims Increase in California (Courtesy of Sam Abbott)

Early in the Biden administration, the conversation surrounding federal paid leave received more attention, including mention in the 2023 State of the Union address, and inclusion in the proposed Build Back Better Act. However, paid leave was not passed and there are no immediate pathways for national policy change. However, Sam notes there is polling data that indicates nearly 3 in 4 adults support a federal investment in such a policy.

Taken as a whole, this all indicates that state-level policies will continue to lead the way in expanding paid leave access to families in the United States. State-level implementation remain a focus for policy improvements and innovations, providing learning and potentially longer-term advocacy for expanding paid leave access for the American people.

## APPENDIX E: RESOURCE TABLE

Convening participants generously shared useful resources to a public online folder throughout our time together. Here is an overview of these resources and where to find them. Access all of the resources [here](#), or follow the individual links below to navigate to a specific resource.

Resource Name	Contributor	Description	Link
Assorted and Interesting Articles	Tracy Marshall	Three articles on paid leave: (1) The Impact of Paid Family Leave on Families with Health Shocks (2) From Bill to Benefits in 30 months: The Innovation Behind the Nation's First Built-from-Scratch Paid Family and Medical Leave Program (3) 2021 DMEC Employer Leave Management Survey results on employer methods for administering [leave] and... preferences and strategies for administering leave under [federal FMLA], the ADA, other state or local laws, and company - specific directives.	<a href="#">Find it here</a>
Washington State Voluntary Plan for Employers	Rebecca Grady	Washington State PFML Voluntary Plan Costs and Fees description. The Washington State Paid Family and Medical Leave program includes a provision for employers to operate a "Voluntary Plan" in lieu of participating in the state's plan. These leave programs must meet or exceed the state's Paid Family and Medical Leave benefits.	<a href="#">Find it here</a>

State Paid Family and Medical Leave Insurance Laws	Evan Rowe	National Partnership for Women and Families October 2022 report summarizing states' policy status and specific paid leave program designs.	<a href="#">Find it here</a>
Program Process Flow Worksheet	Keala Aronowitz	Program implementation analysis worksheet that can be used to document what resources are used for customer engagement and intake; use this to gain insights about what is working well and what could change	<a href="#">Find it here</a>
Washington State Program Operational Needs and Resources Report	Rebecca Grady	Washington State Program Operational Needs and Resources Report to the State Legislature. This report by the Washington Employment Security Department documents ongoing staffing and funding needs necessary to support program operations for the state Paid Family & Medical Leave program.	<a href="#">Find it here</a>
Washington State PFML Program Annual Report to the Legislature	Rebecca Grady	Washington State Paid Family & Medical Leave program annual report to the legislature; documents program participation, premium rates, benefit payments, costs, outreach efforts, and other program participant data.	<a href="#">Find it here</a>
Paid Leave Impact & Challenges 2022 Evans ESD	Rebecca Grady	To understand the impact of WA Paid Leave on benefit recipients, the Washington Employment Security Department commissioned this report in partnership with the University of Washington's Evans School of Public Policy & Governance.	<a href="#">Find it here</a>
Cultivating Access, Rights, & Equity (CARE) Grant Program	Holly Low	State of New Jersey Department of Labor and Workforce Development - overview of CARE grant program, which was established to increase NJ	<a href="#">Find it here</a>



		workers' awareness of and equitable access to key programs	
Integrating Paid Family and Medical Leave and Help Me Grow Washington Services	Rebecca Grady	Report to the legislature containing descriptions of Washington's PFML and Help Me Grow (HMG) programs, collaboration efforts, and data sharing considerations between the two programs	<a href="#">Find it here</a>
The Health Care Provider's Role in Securing Work Accommodations for Pregnant and Postpartum Patients	Julia Goodman	Published in the Journal of Midwifery & Women's Health, this research article examines the role of the health care provider in writing notes for patients to give their workplaces when they need medical accommodations.	<a href="#">Find it here</a>
Inequality in Parental Work Around a Birth	Heather Hill	Evans School research brief examining economic instability when a new child is born	<a href="#">Find it here</a>
Implementation Outcome Worksheet	Keala Aronowitz	Worksheet with guidelines to discuss program implementation effectiveness	<a href="#">Find it here</a>
Human Centered Design FSI Brief	Jodi Sandfort	Brief describing the Human-Centered Design process and its uses applied to Minnesota's Human Services fields	<a href="#">Find it here</a>
ESSB 5097 Family Member Expansion Analysis	Rebecca Grady	Engrossed substitute senate bill 5097 amended the definition of family member for the WA State PFML program. This report analyses the impacts of this policy change on the program.	<a href="#">Find it here</a>
PFML Employer Survey Report	Rebecca Grady	Compiled results and analysis of a Washington state employer survey	<a href="#">Find it here</a>
Reaching the Self-Employed: Promoting Paid Leave and WA Cares in Washington State	Rebecca Grady	Graduate student-led capstone project report examining Washington state PFML outreach efforts to self-employed individuals	<a href="#">Find it here</a>
Trusted Messengers:	Rebecca Grady	Graduate student-led capstone project report examining	<a href="#">Find it here</a>

Supporting Washington's human services providers to increase use of Paid Family & Medical Leave		methods to increasing awareness of PFML benefits for high-barrier communities	
Building on Washington State administrative data for policy and research	Jennifer Romich	Presentation containing information about WA State's administration data merging efforts	<a href="#">Find it here</a>
A Comparative Analysis of the Administration of State Paid Leave Programs	Rebecca Grady	Graduate student-led capstone project report examining state agencies' administration of paid leave programs	<a href="#">Find it here</a>
BERK Learning and Evaluation Summary	Aj Foltz	BERK analysis and overview of the Perigee Fund investment to expand outreach & awareness of WA PFML benefits	<a href="#">Find it here</a>
ESD State and Voluntary Plan Program Usage	Rebecca Grady	Developed in response to ESSB 5097, this report analyzes leave usage among employees covered by voluntary plans and the state plan, as well as usage by employer size (WA)	<a href="#">Find it here</a>
WA PFML Employee Survey Analysis	Rebecca Grady	Presentation explaining methodology, analysis, and results of ESD's statewide survey of employees (FM3 Research)	<a href="#">Find it here</a>
Public Perceptions of WA PFML	Rebecca Grady	Presentation containing information from focus group discussions about the public's perception of Washington State's PFML program (FM3 Research)	<a href="#">Find it here</a>
WA PFML Employer Perception Survey Analysis	Rebecca Grady	Presentation with results and analysis about employer's perceptions of Washington State's PFML program (FM3 Research)	<a href="#">Find it here</a>