

October 4, 2021

Dear President Biden, Vice President Harris, and Members of Congress:

We, the undersigned 351 business and management school faculty members from more than 160 institutions in 41 states, write to urge you to establish a national paid family and medical leave program as one of America’s top economic recovery priorities.* National paid family and medical leave was a missing piece of America’s care, workforce, and economic infrastructure prior to the pandemic – and the swift enactment of a national paid leave program is an imperative for economic recovery.

The need for paid leave as a workforce, business, and economic policy is not new – but it is more urgent than ever. Indeed, many of us and our colleagues wrote to members of Congress in 2015 to urge that “sound business practices, data from other countries, our own research with employers, employees and organizations, and our experiences teaching the business leaders of tomorrow compel the conclusion that the United States must adopt a national paid family and medical leave policy.”¹ More of us wrote to you earlier this year, and now an even larger group of us is writing again because this issue is so critical. The devastating effects of the pandemic on our students, the workforce, and businesses of all sizes and in all sectors compel the conclusion that there is now greater urgency than ever in enacting a national paid leave standard for the United States.

In our 2015 letter, we set out in detail the business case for paid leave, including the fear felt by many of our business school students that, without paid leave, they would be forced to delay or forgo parenthood or downgrade their professional aspirations. We also shared evidence from the private sector and from state paid leave programs on the positive effects of paid leave on employee engagement, retention, and productivity. And we reviewed key findings from studies on the experiences of businesses operating in states with paid leave programs, concluding that they “show positive impacts [for businesses] and lay bare the claims of business opponents.”²

Since 2015, the business and management case for investments in paid leave has only grown. The number of state programs has multiplied from three to nine plus D.C.³ The academic and business trade literature is filled with research and testimonials about the value of paid leave as an employment policy.⁴ Large companies, small businesses, trade associations and business leaders have also entered the national policy conversation, explaining the benefits of their own policies and urging congressional action on national paid leave.⁵

Guaranteeing workers and businesses of all sizes access to paid leave is essential for economic recovery and rebuilding. We cannot as a country continue to operate in a piecemeal fashion, where just 20 percent of the workforce has paid family leave through their employers and only 40 percent have personal medical leave – and where those aggregate numbers mask substantial disparities by wage level, job type, and more.⁶ The

** Signatories to this letter are expressing their personal views and make no representations about the views of the institutions with which they are affiliated.*

pandemic has had substantial adverse effects on the economy overall and on women's labor force participation. It has devastatingly exacerbated employment and economic inequality by gender, race, and economic level. And it has imposed hardships imposed on small businesses. All of these factors only underscore further the urgency of creating and implementing a national paid leave program, which would offer predictable coverage to all workers and all businesses, as soon as possible.

Paid leave, along with investments in other critical components of a care infrastructure, is a pro-growth policy that can create greater equity for women and for people of color across firms and is therefore a matter of public concern, worthy of public investment. As of January 2021, U.S. GDP dropped 3.5 percent, the first annual decline since 2009 and largest decline since 1946.⁷ Rebuilding the economy will depend on controlling COVID-19, to be sure, but it requires more. It requires businesses to be able to hire back millions of workers – including an estimated 5.3 million women who lost jobs in the pandemic, including 2.3 million women who had entirely left the workforce as of February 2021, setting women's employment levels back by more than three decades.⁸

Paid leave – provided in a gender-equitable way – helps to maintain women's employment. Private sector companies have long noted that women are more likely to return to work after the birth of a child when paid leave is available; state paid leave program research yields similar results.⁹ At a macro-level, by promoting women's employment, paid leave is one of a number of policies that has the potential to help the economy grow as much as 5 percent by bringing women's labor force participation rates in the United States up to levels in other countries.¹⁰ McKinsey researchers recently studied the effects of women's employment on GDP and concluded that taking action before the end of the pandemic to implement policies that advance gender equality could add \$2.4 trillion to U.S. GDP, and create near gender parity in the U.S. labor force, by 2030.¹¹

Paid leave is also a racial equity policy that will benefit firms. A growing body of academic and professional services firms' research has helped to demonstrate and quantify the importance of diversity and inclusion in workplaces – both in creating a positive culture and in creating more value for firms and shareholders.¹² Supporting women and people of color, who have higher rates of caregiving responsibilities, at all levels of work – whether in the service jobs that have been ravaged by COVID-19 or white collar management and leadership roles, which suffered from a deficit of women and people of color prior to the pandemic and are at risk of retrenchment as a result of it¹³ – requires policies that reflect people's family and health needs. And it requires that policymakers and business leaders implement policies that help workers stay attached to the workforce when health and care needs arise, as paid family and medical leave does.

Paid leave is an economic equity imperative. U.S. Bureau of Labor Statistics data on the change in workers access to paid family leave shows that the private sector will not solve this problem on its own. Access to designated paid family leave provided by employers has grown by just 10 percentage points for workers overall between 2010 and 2020 (from 10 percent of the workforce in 2010 to 20 percent in 2020), and for low-wage workers, increases were just 2 to 3 percent.¹⁴ And, for small businesses that have been hit hardest by the pandemic, public paid leave investments are crucial – as Congress recognized in 2020 by

subsidizing small businesses temporarily required by federal law to provide emergency paid leave.¹⁵

The pandemic has shown only too clearly that our lack of a care infrastructure is disastrous for employment. This is a matter of public concern, and not something that the private sector nor workers can or should be required to solve on their own. No other high-wealth country treats paid leave as a private matter, and neither should we. Publicly-funded paid leave exists to smooth the risk to both workers and businesses in virtually all other countries¹⁶; the United States should follow suit. Indeed, we should be world leaders.

It is time for policymakers to ensure that the entire United States workforce has access to paid family and medical leave on a permanent, sustained basis. The nation must adopt a policy that allows the workers, families, and businesses across the country to rebuild from COVID-19 and plan for the health and care challenges that will arise in the future – whether the birth or adoption of a child, or a serious personal or family health need.

The leave provisions in the House Ways & Means Build Back Better Act markup, which would create a national paid family and medical leave program ensuring all workers access to 12 weeks of paid leave to care for a new child or address a serious personal health or family caregiving issue, provides one such solution that we urge you to consider. This proposal builds on paid earlier federal legislation (the FAMILY Act) as well as lessons from the growing number of state paid leave programs and international examples to create a national paid leave social insurance program that would set a basic paid leave standard for all workers, no matter where they live or work. This would remove the onus on workers whose employers do not provide paid leave to shoulder the costs of unpaid leave and the risk of job loss. It would provide a backstop to businesses that cannot afford to provide paid leave on their own but want to ensure their employees have income stability when the need for paid leave arises. And employers who want to go beyond the basic federal benefit, would be free to do so, continuing to use a superior benefit package as a recruitment and retention tool.

Paid leave is a matter of economic necessity for workers and their families, a workplace retention policy essential to business, and a means for stimulating the country's economic growth and competitiveness. Paid family and medical leave legislation must be an economic recovery priority. Like roads and bridges, care infrastructure enables people to get to work, to help build successful businesses, and to thrive. For the sake of both the business leaders and professionals we teach, the workforces they will direct, and our country's prosperity in the future, it is well past time for a national paid leave policy. We urge you to take action now.

Sincerely, with academic affiliation listed for identification purposes only,

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¹ Letter to Members of Congress from 203 Business and Management School Professors, Sept. 15, 2015, <http://worklife.wharton.upenn.edu/wp-content/uploads/2012/11/Final-Business-School-Professors-Letter-to-Congress-in-Support-of-the-FAMILY-Act-September-15-2015.pdf>

² Ibid.

³ Since submission of our 2015 letter, six states and the District of Columbia have joined California, New Jersey and Rhode Island in creating statewide paid family and medical leave programs. These are New York (2016), Washington (2017), the District of Columbia (2017), Massachusetts (2018), Connecticut (2019), Oregon (2019) and Colorado (2020); in addition, California's and New Jersey's programs have been expanded to offer job protection to workers in smaller companies and to offer more equitable coverage to lower-wage workers. See Vicki Shabo, Explainer: Paid and Unpaid Leave Policies in the U.S., (New America, Dec. 2020), <https://www.newamerica.org/better-life-lab/articles/explainer-paid-and-unpaid-leave-policies-us/>; Vicki Shabo, Explainer: Paid Leave Benefits and Funding in the U.S., (New America, Dec. 2020), <https://www.newamerica.org/better-life-lab/articles/explainer-paid-leave-benefits-and-funding-us/>.

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⁴ See, e.g., Ann Bartel, Maya Rossin-Slater, Christopher Ruhm, Jane Waldfogel, "Assessing Rhode Island's Temporary Caregiver Insurance Act: Insights from a Survey of Employers," (U.S. Department of Labor, January 2016), <https://www.dol.gov/agencies/oasp/evaluation/WorkerLeaveStudy/WL-Assessing-Rhode-Island-Temporary-Caregiver-Insurance-Act>; Elisabeth Jacobs, "Paid Family and Medical Leave in the United States: A Research Agenda," (Washington Center for Equitable Growth, Oct. 2018), <https://equitablegrowth.org/research-paper/paid-family-and-medical-leave-in-the-united-states>; Joan Michelson, "How Small Companies Can Offer Great Paid-Leave Programs," (Harvard Business Review, Jan. 7, 2021), <https://hbr.org/2021/01/how-small-companies-can-offer-great-paid-leave-programs>; Akayla Gardner, "Pandemic Drives Up Business Support for Paid Leave," (Bloomberg Business News, Jan. 26, 2021), <https://www.bloomberg.com/news/articles/2021-01-26/covid-19-pandemic-drives-up-support-for-u-s-national-paid-leave>

⁵ Businesses Advancing National Paid Leave, www.advancingpaidleave.org (last accessed Feb. 16, 2021); Small Business for Paid Family and Medical Leave, <https://www.smallbusinessforpaidleave.org/> (last accessed Feb. 16, 2021); Business Roundtable, "Paid Family and Medical Leave Policy," <https://www.businessroundtable.org/paid-family-and-medical-leave-policy> (last accessed Feb. 16, 2021); U.S. Chamber of Commerce, "Comments to DOL on Paid Leave," (Sept. 14, 2020), <https://www.uschamber.com/comment/comments-dol-paid-leave>; Ben Penn and Jaclyn Diaz, "Business Lobby Shifts Paid Leave Stance, Sensing Action in 2021," (Bloomberg Law, Sept. 16, 2021), <https://news.bloomberglaw.com/daily-labor-report/business-lobby-shifts-paid-leave-stance-sensing-action-in-2021>

⁶ U.S. Bureau of Labor Statistics. "National Compensation Survey: Employee Benefits in the United States, March 2020," (Tables 16 and 31), <https://www.bls.gov/ncs/ebs/benefits/2020/employee-benefits-in-the-united-states-march-2020.pdf>

⁷ Associated Press, "U.S. economy shrank 3.5 percent in 2020 after growing 4 percent last quarter," (PBS Newshour, Jan. 28, 2021), <https://www.pbs.org/newshour/economy/u-s-economy-shrank-3-5-in-2020-after-growing-4-last-quarter>

⁸ Claire Ewing Nelson, "Another 275,000 Women Left the Labor Force in January," (National Women's Law Center, Feb. 2021), <https://nwlc.org/wp-content/uploads/2021/02/January-Jobs-Day-FS.pdf>

⁹ See e.g., Charles L. Baum II and Christopher J. Ruhm, "The Effects of Paid Family Leave in California on Labor Market Outcomes," (Journal of Policy Analysis and Management, Vol. 35, 2, Feb. 2016), <https://onlinelibrary.wiley.com/doi/abs/10.1002/pam.21894>; Sarah Bana, Kelly Bedard & Maya Rossin-Slater, "The Impacts of Paid Family Leave Benefits: Regression Kink Evidence from California Administrative Data," (NBER Working Paper 22438, Rev. Jan. 2019), <https://www.nber.org/papers/w24438>; Elisabeth Jacobs, "Paid Family and Medical Leave in the United States: A Research Agenda," (Washington Center for Equitable Growth, Oct. 2018), <https://equitablegrowth.org/research-paper/paid-family-and-medical-leave-in-the-united-states>

¹⁰ Beth Bovino and Jason Gold, "The Key to Unlocking Growth? Women," (S & P Global, 2017), https://www.spglobal.com/Media/Documents/03651.00_Women_at_Work_Doc.8.5x11-R4.pdf

¹¹ Anu Madgavkar, Olivia White, Mekala Krishnan, Deepa Mahajan, and Xavier Azcue, COVID-19 and gender equality: Countering the regressive effects (McKinsey & Company, July 15, 2020), <https://www.mckinsey.com/featured-insights/future-of-work/covid-19-and-gender-equality-countering-the-regressive-effects>

¹² See, e.g., Vivian Hunt, Sara Prince, Sundiatu Dixon-Fyle and Lareina Yee, "Delivering Through Diversity," (McKinsey & Company, January 2018), <https://www.mckinsey.com/~media/mckinsey/business%20functions/organization/our%20insights/delivering%20through%20di>

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