

Senate, House combine bipartisan efforts to advance paid leave

Both chambers have been working on bipartisan plans, but in a rare sign of progress, a joint outreach effort signifies growing momentum around the issue

By Leigh Ann Caldwell
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A bipartisan group of senators and House members on Wednesday will debut a rare joint effort to advance paid leave legislation.

The development is substantive — it is designed to help lawmakers write legislation that can pass both chambers — but it is also symbolic, an effort to show public momentum on the issue. The United States is one of the few countries that does not offer a paid parental leave program for new mothers. A growing number of nations are also now offering paid leave for new fathers, leaving the United States far behind most countries around the world. The group of lawmakers is requesting input from about three dozen advocacy, business and interest groups about what paid leave policies would be effective, necessary and fiscally possible.

Keeping up with politics is easy with The 5-Minute Fix Newsletter, in your inbox weekdays. “Our goal is to get something started,” said Sen. Kirsten Gillibrand (D-N.Y.), who is leading the bipartisan Senate group. “I feel good if we can get something that’s real paid leave started for a certain number of Americans who would never have access.”

Gillibrand spoke about the effort in an interview on Tuesday, the 10th anniversary of the introduction of the Family Act, the Democrats’ gold-standard paid leave bill that would guarantee paid leave for all workers after the birth of a child and also when dealing with serious medical issues. Gillibrand, who launched a presidential campaign in 2020 in part on the issue of paid leave, said the time seems ripe for movement on an issue that has befuddled Congress since the unpaid Family and Medical Leave Act was signed into law more than 30 years ago. FMLA protects some workers’ jobs but does not replace their salary while on leave.

A majority of people have consistently indicated support for paid family and medical leave in polling since at least 2008. Still, Congress has failed to act.

Some lawmakers working on the issue say the Supreme Court’s overturning of *Roe v. Wade* has made the need more urgent because it is more difficult in many places for a woman to

terminate a pregnancy. They also point to the coronavirus pandemic, which unearthed the need for greater access and cost-effective caregiving options for newborns, sick family members and the elderly.

Sen. Bill Cassidy (La.), the lead Republican negotiator in the group, said Republicans have become more open to federal paid leave policies because “societies change” and the need is apparent.

The number of mothers working outside the home either full or part time has increased 50 percent over the past half-century. Single-parent households and families living far from extended family have also increased. The costs of child care continue to rise, and the responsibility of family members taking care of elderly loved ones is also increasing.

“We’re showing that there is enthusiasm, passion and interest in this across the political spectrum,” Cassidy said. “That’s a good thing.”

Some states have already taken up the mantle of paid leave. Thirteen states and the District of Columbia have some sort of paid leave program, according to AARP. Members of Congress say federal legislation is still absolutely necessary.

Federal workers gained paid family leave in 2020, giving more than 2 million people access to paid leave as long as the employee has worked for the government for 12 months. Another minor victory for advocates is set to pass this week in the annual defense policy bill that will allow military service to be counted toward that work requirement.

Gillibrand and Cassidy have been working with Democratic Sens. Robert P. Casey Jr. (Pa.) and Maggie Hassan (N.H.), independent Sen. Kyrsten Sinema (Ariz.), and Republican Sens. Todd C. Young (Ind.), Thom Tillis (N.C.) and Cynthia M. Lummis (Wyo.) — an ideologically diverse group that give any such talks heft.

The senators have teamed up with a bipartisan working group in the House — the first of its kind — that has been working on paid leave since its inception one year ago. Led by Reps. Chrissy Houlahan (D-Pa.) and Stephanie I. Bice (R-Okla.), the House group has held a half-dozen listening sessions and detailed its findings in a new report. It is working to release a legislative framework in the next few weeks.

“Support for paid family leave is at historic levels across the nation and across both chambers of Congress. It is that momentum that helped lead us here today,” Houlahan said in a statement.

The Senate group has been working throughout the year on a potential framework for legislation and zeroing in on areas where they can agree. It seems clear, participants say,

that the lowest-income people are expected to be a priority, and legislation would probably include coverage for all aspects of care, including caring for new children, adult children with special needs and elderly parents, for example. The biggest challenge will be how to fund the program. Republicans tend to like tax credits or incentives, and Democrats generally prefer a government-funded program.

The bicameral group is asking a host of entities, ranging from unions, care advocacy groups, business groups and think tanks, to suggest ideas on how the program should be funded, the suggested scope and the role of the federal government. Requests for responses are due Jan. 31, and Gillibrand hopes to have an agreed upon framework in the following weeks.

"This seems to be something that can be bipartisan now," Gillibrand said.

Despite the optimism, finding consensus on legislation that could pass a Democratic-led Senate and a Republican-led House will be far from easy. Many Republicans are still opposed to a federally led program, and some on the left might think a compromise bill won't go far enough.

Rep. Rosa L. DeLauro (D-Conn.), who began working on paid leave legislation in 2010 and is the author of the Family Act, said she worries that any bipartisan effort would not meet the need.

"I will not endorse anything that is a compromise of paid family and medical leave in any way," she said.