



e-Alert

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The Department of Labor Issues a Request for Information on Paid Family and Medical Leave

Background

For the past few months, COVID-19 has dominated the national conversation about labor law, eclipsing many other important issues facing employers and their employees. Last week, the U.S. Department of Labor brought some attention back to one such issue, Paid Family and Medical Leave. The DOL has issued a Request for Information (RIF) seeking information on current paid leave programs and how these programs, or the lack thereof, have impacted employees and their families.

Summary

On July 15th, 2020, the U.S. Department of Labor issued a [Request for Information \(RFI\)](#) regarding

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Paid Family and Medical Leave programs, whether company offered or at the state level. Though the RFI was specifically issued by the Women's Bureau within the DOL, all members of the public, employers, employees, and researchers are invited to submit comments regarding the positives and negatives of existing PFML programs. This information will be used to help develop and report on promising paid leave practices across the country and could pave the way for future PFML programs at the state or even federal level.

In general, the DOL is seeking to understand:

- The benefits of paid leave, the costs of paid leave, and the measurement of costs and benefits.
- The beneficiaries of paid leave and the bearer of the costs.
- The unique needs of workers and employers in regard to paid time off for care obligations.
- The features of the existing public (e.g., state-administered) and private (employer-provided) programs that work well, reasons those features work well, and features and provisions that make a paid leave program successful for all stakeholders.
- The features of the existing public and private programs that do not work well or are burdensome, the reasons why, and any features and provisions that present challenges for stakeholders.
- Answers to the following questions:
 - Are there barriers to implementing or improving paid leave?
 - Are there regulatory barriers to providing paid leave?
 - What could be done to improve existing programs, which include state and employer-sponsored paid options?
 - What are the impediments, costs and otherwise, faced in implementing those improvements?
- The challenges of balancing costs and benefits with paid leave and the differences in costs and benefits among types and sizes of employers, including small businesses.

Interested parties can find instructions for submitting comments using the RFI link above or at [regulations.gov](https://www.regulations.gov). The deadline for submitting comments is September 14th, 2020.

Employer Next Steps

- Employers across the country with information to share regarding PFML programs should follow the links provided above in order to do so.
- Employers may also wish to make this information available to their employees to give them the opportunity to submit comments as well.

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