

NEW NATIONWIDE POLL SHOWS STRONG SUPPORT FOR FAMILY AND MEDICAL LEAVE ACT (FMLA) MODIFICATIONS

Survey Sponsored By National Coalition to Protect Family Leave Indicates Voters Support FMLA Protections ... Say Law Should Be Modified To Bring It Up-To-Date

(Washington, DC – March 6, 2008)—Fifteen years after the law was passed, American voters strongly support efforts to modify the landmark Family and Medical Leave Act of 1993 according to a new public opinion survey released today by the National Coalition to Protect Family Leave.

“This survey revealed two critical facts about Americans’ attitude toward the FMLA,” said Coalition Representative Lisa Horn. “First, Americans strongly support the FMLA and believe it provides important protections to American workers. Second, they also believe that after 15 years it’s time to take a step back and make some reasonable modifications to make the law work better for both employees and employers.”

The poll represents the results of a nationwide telephone survey of 1,000 registered voters from February 7-12, 2008. The margin of error is $\pm 3.1\%$ at the 95% confidence level. The research project was directed by Kellyanne Conway, President and CEO of the polling company™, inc.

Among the survey’s key findings:

- ***Most Voters Have High Opinions of Their Own Workplaces ...*** More than 7 out of 10 (71%) Americans surveyed said policies regarding time off in their workplaces were “mostly fair.”
- ***Many Americans Recognize Potential for FMLA Misuse ...*** A majority (59%) of voters said there was a “serious” potential for FMLA misuse. And nearly half (46%) of those surveyed could cite at least one occasion where they suspected “a fellow employee who claimed to be taking time off for family or medical reasons was really using it for something else.”
- ***One in Three Workers Say Unscheduled Leave Makes Their Jobs Harder ...*** Just over one-third (34%) of survey respondents said sporadic, unannounced leave by co-workers – a major issue under current FMLA rules – makes them less productive on the job.

“The FMLA has helped millions of American workers take the time off they need due to address family or medical emergencies,” said Lisa Horn. “But the survey data shows that

Americans also recognize the potential for FMLA misuse – particularly when it comes to sporadic, unscheduled leave.”

Initially, more than half (52%) of voters surveyed said some adjustments to FMLA were needed, while just 28% said the law was working well as is. However, when Americans learned how FMLA was actually working in the workplace, support for regulatory corrections increased dramatically.

- By a 55-point margin (75% to 20%), voters were more likely to support FMLA modifications when they learned employees can take FMLA leave during regular hours and then work overtime shifts that same week to collect higher wages.
- By a 40-point margin (64% to 24%), voters were more likely to support FMLA adjustments when they learned that public safety can be threatened – as in well-documented cases of children left waiting for school buses or 911 operators who are overburdened and overstressed due to the unscheduled absences of colleagues.
- By a 41-point margin (65% to 24%), voters were more likely to support FMLA changes when they learned that hospitals have experienced nursing shortages and airlines might have to delay or cancel flights due to unannounced FMLA leave.

On February 11, 2008, the Department of Labor released a set of proposed regulatory changes to the FMLA. The survey results indicate strong levels of support for many of the concepts embodied in the proposed rule changes, including:

- 88% of Americans support “requiring employees who wish to take FMLA leave to get their ‘serious medical conditions’ recertified by a health care provider once a year or every six months.” Currently employees never have to return to their doctors for check-ups or to get recertified.
- 73% of voters approved of “allowing employers to speak directly to a worker’s health care provider when he or she is ready to return to work after taking FMLA leave to ensure that the worker is able to resume working and will not pose a danger either to himself or herself or to other employees.”

“The survey shows Americans broadly support the Coalition’s efforts to preserve and strengthen the FMLA’s protections, while also seeking to update the law after 15 years of experience in the workplace,” said Lisa Horn. “While the Labor Department’s new rules do not address every challenge facing FMLA, they are a common sense first step towards ensuring that FMLA benefits are administered fairly and equitably.”

The National Coalition to Protect Family Leave is a broad-based, non-partisan group of organizations, companies and associations dedicated to protecting the integrity of the Family and Medical Leave Act.

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