# Family-Supportive Workplaces

Resources for Sacred Sector Employers
November 2019



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#### **About the Center For Public Justice**

The Center for Public Justice (CPJ) is an independent, non-partisan, Christian organization devoted to policy research and civic education. Our mission is to equip citizens, develop leaders, and shape policy to serve God, advance justice, and transform public life. Learn more at CPJustice.org.

Families Valued, an initiative of CPJ, researches and promotes public policies and workplace practices that honor God's call to both work and family life. Learn more at FamiliesValued.org.



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#### INTRODUCTION

ractices that help facilitate work-life balance or work-life integration are increasingly sought after by workers. According to Pew Research Center, over 80 percent of Americans think mothers should have access to paid parental leave after welcoming a new child to the family<sup>1.</sup> A Gallup survey found that 51 percent of employees would switch jobs in order to secure a flexible work arrangement. What matters to employees, according to Gallup, are benefits that "offer them greater flexibility, autonomy and the ability to lead a better life."<sup>2</sup>

Changes in public policy also signal increasing demand for family-supportive work. To date, eight states and the District of Columbia have passed paid family and medical leave laws, building on the federal Family and Medical Leave Act's guarantee of job protection during family leave. Ten states and DC have laws requiring earned sick days for employees and making those days available for the care of a sick child or family members.

A growing body of research and commentary explores questions of work-life balance, also termed work-life fit or work-life integration. Proponents of work-life balance seek workplaces whose design reflects the reality of human life—including the fact that many workers have commitments to children, parents and other loved ones. Workplaces with this sort of design are more likely to do well with respect to job satisfaction, employee engagement and performance as well as recruiting and retaining staff.<sup>3</sup>

Faith-based organizations are uniquely positioned to embrace a whole-person, family-friendly approach to the workplace. The flourishing of the family is close to the heart and mission of many faith-based organizations. And many organizations seek integrity and consistency between their mission in the world and their relationship with employees. In the words of one leader, "Our work is about helping people reconnect with healthy relationships with God and each other. Families are a big piece of healthy relationships. We have to support that in our staff if we're going to invite others into that kind of transformational living."

## Many organizations seek integrity and consistency between their mission in the world and their relationship with employees.

Attention to the relationship between work and family care will grow increasingly important as workplaces compete for talented employees who are also called upon to care for aging parents and loved ones as well as young children.

For organizational leadership, work-and-family care can present an overwhelming array of options and questions. Is my organization doing enough? What should we do? How do we compare to others? Are the costs or processes associated with family-supportive practices worth it?



This publication is a resource faith-based employers can use to assess and expand family-supportive practices in their organizations. The resource book is a product of a partnership between two initiatives of the Center for Public Justice. The Families Valued initiative seeks to honor God's good purposes for both work and family life by promoting work that enables families to flourish. Sacred Sector is a learning community for faith-based organizations and emerging leaders. Sacred Sector helps organizations integrate and fully embody their sacred mission in every area of organizational life. <sup>5</sup>

This resource aims to provide a starting point on family-supportive work for institutions in the sacred sector—that segment of organizations whose work is rooted in religious sacred beliefs and practices. The sacred sector encompasses a wide diversity of employers from large health care providers, for profit businesses with religious commitments, congregations and denominational bodies, to educational institutions and social service providers. <sup>6</sup>

The resource will highlight and explain the value of several family-supportive workplace practices. It provides tools such as sample language and checklists that may assist in developing organizational policies. It references key legal as well as market trends in order to help organizations benchmark their current and potential policies. This resource does not constitute legal advice regarding what employers must do. We encourage readers to consult an attorney familiar with their faith-based organization as well as the local, state and federal laws that specifically apply.

Ultimately, our aim is to inspire sacred sector organizations toward excellence and leadership with respect to family-supportive work. A family-supportive workplace reflects an organization's core values and encompasses several dimensions of organizational life—its space, time, compensation and culture. We showcase organizations that are excellent in one or more of these dimensions with the aim of equipping organizations to identify existing strengths and areas for growth.

#### Legal disclaimer

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### 5 Reasons to Build a Family-Supportive Workplace

#### 1. Hiring talented leaders

Workplace practices that enable employees to meet work, family and community obligations draw talented workers to an organization. According to one workforce survey, three-quarters said parental leave benefits would influence their choice of employer. Anational study on women in leadership within evangelical Christian organizations found that children-friendly practices, paid family leave and flexibility in work arrangements, helped make women's leadership possible.

#### 2. Retaining talented members of the workforce

Major corporations who have implemented or improved their paid family leave program report improved retention of female employees. This matters because the loss of an employee is costly, especially experienced employees. As consultant Tara VanderSande explains, "When you consider losing more tenured employees, you now have the intangible loss of history, cultural DNA, expertise and team productivity." <sup>10</sup>

#### 3. Excellence

Family-supportive practices can enhance the quality of work performance. In a survey of companies with paid family leave, 70 percent said it improved productivity.<sup>11</sup> Family-supportive benefits may boost work quality by reducing distractions and the pressure to multi-task, allowing them to focus on work when at work. Improved employee engagement, job satisfaction and morale resulting from family-supportive practices and attitudes may, in turn, add to productivity.

#### 4. Public perception

An organization's reputation is one of its most valuable assets. Consistency in an organization's public-facing mission and internal practices is one way to cultivate and protect organizational reputation. Sacred sector organizations, whose identities are connected to values such as family and human dignity, can help advance and protect how they are perceived by aligning values and practice.

#### 5. Healthy children, caregivers, and families

According to Pew Research Center, 56% of Americans who took parental leave in the past two years said they took less time off than they needed or wanted to.<sup>12</sup> When family time is squeezed or caregivers experience the constant strain of work-life tension, the health of children, parents and other caregivers suffers. Conversely, paid family leave reduces low-birthweight rates in infants<sup>13</sup> and improves maternal health.<sup>14</sup> Giving parents control over their schedules reduces stress by promoting healthier parenting and family life.



#### **Methodology**

In 2018, researchers at the Center for Integrity in Business at Seattle Pacific University, in partnership with the Center for Public Justice, surveyed sacred sector organizations about their policies and practices relating to employee families. Prior to this study, relatively little research had probed family-supportive employment practices in the sacred sector.<sup>15</sup>

The 2018 sacred sector study consisted of in-depth interviews with twenty-six organizations from four domains within the sacred sector: charities, congregations, education and health care. These surveys yielded a diverse sample in terms of organizational size, geographic location, ethnic diversity and socioeconomic status with respect to communities served. Data was collected by way of semi-structured interviews, collecting both qualitative and quantitative responses concerning family-supportive practices. Analysis of this data gave rise to several findings and points of discussion:

- Sacred sector organizations value family-supportive practices and readily connect these practices with their identities and missions. The vast majority surveyed held positive views about family-supportive practices and felt their own workplace practices were shaped by their mission or faith tradition. Respondents ranked the motivating values behind family-supportive practices (such as respect for the institution of the family, human dignity and desire to treat employees equally) more highly than they later ranked the barriers (such as cost, organizational size, management challenges).
- The vast majority of sacred sector employers provided some family-supportive benefits and also had room to grow. For example, the majority of organizations offered their full-time employees some paid time off for family care. However, many policies relied upon combinations of sick days, vacation days or other paid time off (PTO) that resulted in modest-length maternity and paternity leaves and little time for other health and rest needs. On average, men and women could receive four to six weeks paid time off after the birth of a child, but to do so would require an employee to exhaust all sick, vacation and disability insurance as well as any formal paid family leave.
- Many sacred sector organizations described their approach to employees' personal and family responsibilities as flexible, case by case and informal. This approach could result in offerings that are highly responsive to individual needs but could risk unfairness, lack of clarity, and support made available only to those employees who feel comfortable or authorized to request it.
- The legal environment can have a significant impact on employers' family-supportive policies. Indeed, state and municipal laws affecting paid time off had a more significant impact on the benefits available to employees than any other factor tested.

Organizations have an opportunity to develop a proactive approach to family-supportive practices—one that fosters their unique mission and culture, aids their competitiveness and positions them for legal compliance. As one human resources leader surveyed noted, "Sometimes I think we need to have more procedures in place. More documentation and policy ... not that we are out of compliance but are we making exceptions that may or may not be deemed fair in the next situation where someone ... feels they were treated differently."<sup>18</sup>

#### FAMILY SUPPORTIVE WORKPLACES

Resources for Sacred Sector Employers

The Center for Public Justice built upon the 2018 sacred sector interviews in order to develop this resource book. We will refer to this research throughout this guide as "sacred sector interviews." Additionally, we analyzed the written employee policies of 23 sacred sector organizations, some of which are public and some provided confidentially. In addition to the policies collected in conjunction with sacred sector interviews, we also reviewed policies of six of the nation's largest religious employers as identified in a landmark 2016 study by Brian and Melissa Grim.<sup>19</sup> Finally, this resource is also informed by in-depth interviews with staff and leadership of HOPE International, a faith-based nonprofit with a robust family-supportive practices and an interest in this topic.

In addition to information collected from specific sacred sector organizations, this resource draws on surveys, recommendations and advice from the Society for Human Resource Management, the Best Christian Workplaces Institute, the California-based Healthy Families Workplace Coalition, and the Standards for Excellence Institute® (see appendix).

RESOURCE: Please consult the Standards for Excellence Institute or one of its partners for indepth tools and guidance for nonprofit management.

There is a wide variety in the type and place of work that happens within the sacred sector. Organizations with unique capacities can provide unique family-supportive benefits such as ministries that provide childcare or health care providing these same services to employees. Other organizations face unique challenges. Finally, there are work-life challenges whose solutions lie beyond the boundaries of the individual firm. Families hold the primary responsibility for caring for children and loved ones and they must make household decisions about how to allocate time and money. The built infrastructure in a community—roads, housing and public transportation—affect an employee's time and physical presence. Likewise, a community's childcare and education infrastructure can have a big impact on children and families, yet are hard for any employer to impact on their own.

There are several areas of organizational life that affect nearly all workplaces: core values, physical space, time management, compensation, and culture. For each area, we discuss why these features matter from the standpoint of creating a family-supportive workplace. Then, we identify family-supportive practices, provide specific examples and highlight need-to-know information such as existing or emerging legal standards.

#### **Elements of a Family-Supportive Workplace**

A family-supportive workplace is embodied throughout organizational life through a variety of family-supportive practices.

FEATURE OF ORGANIZATIONAL LIFE	EXAMPLES OF FAMILY-SUPPORTIVE PRACTICES		
CORE VALUES	An organizational values statement that reflects values such as dignity, family and care for the whole person		
SPACE	<ul> <li>A quiet, safe space for nursing mothers</li> <li>Pregnancy accommodation</li> </ul>		
TIME	<ul> <li>A flexible work policy that meets worker and workplace needs</li> <li>Opportunity for part-time work</li> </ul>		
COMPENSATION	<ul> <li>Paid time off to enable care for loved ones</li> <li>Paid time off for new parents to recover and bond</li> <li>Paid time off for pregnant employee health needs</li> </ul>		
CULTURE	Consistent implementation, communication and modeling of family-supportive practices		



#### 2.1 Why it matters

Whereas mission statements anchor organizations to a goal and reason for being, an organization's values determine how the work gets done.<sup>20</sup> Values shape the relationships between employers and employees, between the organization and its customers, beneficiaries, or wider community. Values shape culture.

Employees, customers, clients and community members seek integrity from sacred sector organizations. Does an organization really believe what it claims to believe? Is an organization that promotes human dignity in the public square committed to that value in its day-to-day work? Does an organization that promotes family values in the world apply those values within the institution?

Sacred sector interviews revealed a common desire for consistency between their internal and external sides, including with respect to family-supportive practices. A faith-based school administrator put it this way, "We invest in people's lives. Students, primarily ... [but] it's not just investment in students' lives or [the] development of students. We also invest in employees' lives and developing employees."<sup>21</sup> Another organizational leader explained, "We want to be a Bible-based organization and model Jesus as an example of Christian living. We feel that plays out in how we treat our employees, and how we care for them and their families."<sup>22</sup>

A values statement helps to memorialize these identity-forming ideas. Values statements are "cultural cornerstones," that help guide an organization's decisions and shape workplace culture.<sup>23</sup> Captured in a formal statement, they can be shared and referenced at key points in organizational life, from new hire orientations to planning meetings.

#### 2.2 Practice: Develop a values statement

Does your organization have a values statement? Does it speak to the relationships between those involved in its work—employees, members, customers, or those receiving services?

In interviews with sacred sector leaders, some of the following ideas came up: healthy relationships, healthy communities, individual development, human dignity, care for the whole person and family. What would you say are defining features or core values of your organization?

#### 2.3 Examples

A values statement need not be lengthy in order to be impactful. Adventist HealthCare, a medical provider with a presence in several states, publicizes the following mission and values statements.

#### SAMPLE STATEMENT

**Our Mission:** We extend God's care through the ministry of physical, mental, and spiritual healing. **Our Values:** Adventist HealthCare has identified five core values that we use as a guide in carrying out our day to day activities.

- **Respect.** We recognize the infinite worth of each individual.
- *Integrity.* We are conscientious and trustworthy in everything we do.
- **Service.** We care for our patients, their families and each other with compassion.
- **Excellence.** We do our best every day to exceed expectations.
- Stewardship. We take ownership to efficiently and effectively extend God's care. 24



#### 3.1 Why it matters

Although remote work is on the rise, the typical American workplace remains a physical place. The way an organization designs and uses its space affects nearly every minute of a worker's day. Like the design of a home, a park, or a church sanctuary, the design of a work space also says a lot about who is welcome and who the space is for.

For mothers who are nursing a child, work spaces make a difference. These mothers either need to be close to their children to nurse or to express breast milk during the workday. Many organizations have created nurturing rooms—quiet, private places in which to express milk. A handful of organizations, although none analyzed for this resource, allow infants to accompany their mothers to work, enabling mothers to nurse periodically.

The design of workspace and work tasks affects employees who are pregnant. Physically demanding jobs with prolonged standing, long hours, shift and night work have been shown to have an impact on pregnancy outcomes.<sup>25</sup> Providing space and time for employees to rest from standing and other accommodations to pregnant women is critical for both child and maternal health.

## **3.2 Practice: Space for nursing mothers**

As more employees of HOPE International, a growing Christ-centered poverty-alleviation organization, began to have children, the organization recognized that mothers who were returning to work would need to pump and store milk. As one organizational representative explained, they realized their workspace was not yet equipped for this

#### Legal Background: Providing space and time for nursing mothers

In 2010, Congress amended the Fair Labor Standards Act to require workplaces to provide nursing mothers with reasonable space to express and store milk as well as reasonable break times. Legal requirements apply to all workplaces, but those with fewer than 50 employees are not subject to the legal requirement if it would impose an undue hardship. The space must be a private location other than a bathroom and should include a chair, electrical outlet, window blinds and door. It is important to develop a sign-up system to reserve shared space and honor its use for nursing mothers.

Nursing parents need to know that the space will be available to them at the time they need it. The workplace should also provide space in a refrigerator for milk storage. Further, employees must be permitted to take time to express milk, according to their health needs. Because employees may feel uncomfortable asking their employer about lactation accommodations, it is a best practice for employers to develop and distribute a policy to any employee who inquires about pregnancy or parental leave.

→ RESOURCE: The Department of Labor's <u>Break Time for Nursing</u>
Mothers guide explains the law's requirements. Some state laws establish additional requirements to accommodate breastfeeding and nursing mothers.

task. "None of our [office] doors had locks." But, "if you look at HOPE's culture, we can't send a mom to the bathroom to pump." So they set aside one office as a mom's room with comfortable chairs, a minifridge and a white noise machine. Employees use an online calendar to reserve time to use the room. "It's just this peaceful, calm, almost meditative space," says a HOPE employee. Wendy-anne Durika, a human resources specialist with HOPE, notes, "We've had nothing but positive feedback about the space."



Setting aside a quiet, safe space for mothers to express milk means that new moms who are nursing can return to work with one less thing to worry about. Since Congress added the Break Time for Nursing Mothers amendment to the Fair Labor Standards Act (FLSA), providing time and space (not a bathroom) for nursing mothers is also a legal requirement for most workplaces. For all workplaces, providing space for nursing moms signals attention to the needs of parents in the workforce.

For a handful of organizations, allowing mothers to bring infants to the workplace is a creative way to harmonize working with nursing a young child. Organizations should carefully design policies to clarify the conditions under which children may be in the workplace and the responsibilities of employees who bring their children to work. Sample policies for both nursing space and children in the workplace are provided below.

#### 3.3 Practice: Accommodating pregnant workers

The Pregnancy Discrimination Act prohibits discrimination on the basis of pregnancy, childbirth, or related medical conditions. As a result, it requires organizations to provide reasonable accommodations for pregnant employees as they would for employees with disabilities. Examples of reasonable accommodations include allowing more frequent breaks, providing equipment that eases the physical demands of a job such as a chair, reassigning physically demanding tasks, or temporarily assigning pregnant employees to light duty or remote work, and permitting time off from work for perinatal medical appointments. Employers should develop a policy and make it available for all employees, so that pregnant employees and those considering becoming pregnant know that their health needs will be respected at work.

RESOURCE: The Pregnancy Disability Act has other important implications and requirements for employers. For more information, please visit the <a href="Equal Employment Opportunity Commission's Questions and Answers on Pregnancy Discrimination">Equal Employment Opportunity Commission's Questions and Answers on Pregnancy Discrimination</a>.

#### 3.4 Examples

Many organizations include a provision in their employee policies affirming that mothers have access to space and time to express milk.

#### SAMPLE POLICY

"The ORGANIZATION will provide reasonable unpaid break time each day to an employee who needs to express breast milk for her infant child as required by applicable law. The break time can, if possible, run concurrently with any paid break time already provided to the employee. Employees who need to express breast milk during the work day will be provided a private location, other than a bathroom, that is shielded from view and free from intrusion by coworkers or the public in order to express milk. The space provided will have adequate lighting and access to an electrical outlet. Employees who need to express breast milk during the work day should work with their supervisors as soon as possible to develop a plan.<sup>26</sup>

Organizations that permit young children or nursing children in the workplace should carefully delineate the purposes and boundaries of this arrangement.

#### SAMPLE POLICY

"ORGANIZATION supports new mothers or fathers or guardians with infant children who want to return to work sooner than they might otherwise be able, to bring their infant to work with them until the child is six months old or begins to crawl, whichever comes first. Employees wishing to participate in this program must sign a waiver of liability before bringing their infant to work with them. Parents wishing to bring their infant children to work with them must request approval from Human Resources in advance and must adhere to the guidelines set forth in this policy." <sup>27</sup>

RESOURCE: Visit the <u>Healthy Mothers Workplace Coalition</u> for a full version of a children in the workplace policy.

#### **FAMILY SUPPORTIVE WORKPLACES**

Resources for Sacred Sector Employers

A pregnancy accommodation policy signals the availability of accommodations and the criteria under which such a request will be evaluated.

#### SAMPLE POLICY

"If you need a temporary change to how, when, or where you work due to pregnancy or related conditions, you may request an accommodation under this policy. ORGANIZATION will approve such a request so long as the accommodation requested is reasonable and will not create an undue hardship for the company. ORGANIZATION will determine on a case-by-case basis whether a requested accommodation is reasonable or would create an undue hardship after considering the nature of the accommodation, the needs of the organization and its customers or beneficiaries, the needs of the ORGANIZATION's other employees, the organization's operations, and the organization's resources." <sup>28</sup>

RESOURCE: <u>The Center for WorkLife Law</u> provides a full model pregnancy accommodation policy and tips for employers.



#### 4.1 Why it matters

For many workers, the difficulty synchronizing their work and family care obligations creates significant stress. Children arrive home from school before the end of the regular work day. A doctor or teacher must be called during the typical work day. Long commutes drain workers' time and productivity. For this reason, flexible work arrangements may be an attractive job feature for many workers. According to a Gallup survey, 51 percent of employees say they would switch to a job that allows them flextime, and 37 percent would switch to a job that allows them to work off-site at least part of the time.<sup>29</sup> A study of women in leadership in Christian organizations said that flexible work arrangements including working remotely, part-time, or job-sharing were important in recruiting talented women. Multiple interviewees talked about turning down a job before the organization refashioned it to better fit their situation."<sup>30</sup>

Research suggests that allowing employees a degree of schedule control helps buffer the work-family conflicts that lead to poor health and job turnover.<sup>31</sup> It could also have a significant impact on the retention of valuable employees. Sixty-nine percent of highly qualified female employees who dropped out of the workforce to be family caregivers said they would have stayed in the workforce if their workplace had arrangements that allowed for flexibility.<sup>32</sup>

#### 4.2. Practice: Flexible work policies

Flexible work can refer to a wide range of work arrangements. According to the Society for Human Resource Management, a majority of organizations allow at least some employees to enjoy flexible work arrangements. Sixty-six percent allowed occasional work from home and 40 percent allowed some regular work-at-home hours although only 44 percent allowed control over the shifts employees work.<sup>33</sup> Sacred sector interviews found that 46 percent provided employees with some flexibility and 54 percent said they provided significant flexibility.<sup>34</sup>

The majority of sacred sector interviewees said they offer these plans on an informal basis, without formalized programs or guidelines.<sup>35</sup> This informal approach can lead to challenges. Is flexible work offered or administered on a basis that is or is perceived to be fair? How does flexible work by some employees affect the workload and work requirements of other employees as well as employees' ability to work collaboratively?

Organizations can respond to these gaps by developing policies, processes such as the development of written flexible work agreements, and innovative approaches to flexibility across the workforce. Additionally, organizations can provide training for managers in how to evaluate requests for flexible work and how to administer flexible work agreements well.

Establishing a formal flexible work policy communicates the availability, purposes and processes related to flexible work to all employees. The policy can establish general expectations and responsibilities as well as limits.

#### Resources for Sacred Sector Employers

A flexible work policy might include some of the following elements.

- Flexible work is not a substitute for childcare or family care.
- Work performed by those engaged in flexible work is expected to be of the same quality as work performed (in whole or in part) in traditional workplaces and hours.
- Employees must have access to appropriate technology to complete work from a remote location.
- Eligibility requirements that may depend upon job tenure, past employee performance and the nature of the job responsibilities.<sup>36</sup>
- A commitment not to discriminate against employees who request a flexible work arrangement.
- A process for requesting, crafting and approving individualized flexible work agreements.

Workplaces can carry out a flexible work policy through individualized flexible work agreements. Developed by employees and their managers, these agreements articulate schedule, duration and other aspects of a flexible work arrangement for a particular employee. Organizations should consider how employees whose work is location-dependent, such as receptionists, nurses, or mechanics, can exercise flexibility with respect to their schedule, too. Shift swapping or job sharing are two common mechanisms.<sup>37</sup>

A flexible work agreement could include:

- Specific work schedule for the employee requesting flexible work including days and times of work and remote location.
- Expectations regarding meeting participation, checking and responding to emails and other inquiries.
- Clarification of who will bear the cost of any equipment needed for remote work (such as internet access, printer, phone, furniture).
- Affirmation that remote time is dedicated to work and that child and family care needs are provided for separately.
- Expectations regarding how employees will regularly communicate, store and share work product with his or her team and managers while remote.

#### SAMPLE FLEXIBLE WORK SCHEDULES

- Employee works remotely a set number of days per week
- Employee starts and ends onsite work either a few hours earlier or later to permit for school pick up or drop off
- Employee leaves onsite work an hour early and performs an hour of remote work later at home
- Employee performs five days of work in four days
- RESOURCE: The Society for Human Resource Management has published a toolkit on Managing Flexible Work Arrangements that describes various flexible work arrangements and identifies potential challenges and opportunities for workplaces.

#### 4.3 Practice: Facilitating part-time work

Many individuals who balance work and family care responsibilities rely on part-time work to both provide financially for their families and respond to family care needs. Although the availability of part-time work can be crucial to a family, part-time work is often less emphasized in the workplace. Some steps that employers can take to facilitate part-time work include:

- Enable employees to accrue paid sick, vacation, or PTO based on hours worked rather than their status as part or full-time employees. In some states, the law requires this.
- If your organization provides short-term disability, life insurance, or health insurance benefits to full-time employees, investigate the cost of providing these coverages on a prorated basis to part-time employees. Or, provide part-time employees the option of allocating the amount that would have been spent on their insurance premiums to a health care or flexible savings account.

#### 4.4 Examples

HOPE International's employee policy, like several others reviewed for this resource, includes policies relating to flexible work and forms the reference for a sample policy.

#### **SAMPLE POLICY**

"ORGANIZATION is intentional in building a strong culture that reflects the values of the organization. As such, it is the policy of ORGANIZATION to be a productive workplace that fosters the work/life effectiveness of its employees. Flexible work arrangements (FWAs) offer alternative approaches to completing work through nontraditional work hours and locations. The arrangement must be in the best interest of ORGANIZATION, benefitting the organization as well as the employees. There are six categories of formal FWAs: telecommuting, remote, compressed work weeks, flex time schedules, part-time schedules, and job-sharing. ...An employee interested in requesting a formal FWA should consult with HR for details. The employee will then submit an FWA request form to their supervisor, copying human resources, to begin the process. Supervisors and executive team members will work together to review requests and approve when appropriate."<sup>40</sup>

HOPE also wanted to offer access to flexible work arrangements, including reduced hours during the work week, to employees in all job types. When an employee who worked as an office manager had a baby, HOPE developed a job sharing situation in which she reduced her hours and the organization hired another individual to work on a part-time basis for the remaining hours.

Typically, job sharing involves two employees who share responsibilities for the same job. An individualized flexible work agreement in the case of job sharing spells out how these responsibilities are shared, schedules, and communication expectations for the job-sharing pair.

- RESOURCE: The Standards for Excellence Institute sample policy on remote work provides extensive guidance on structuring this form of flexible work.
- RESOURCE: The U.S. Government's <u>Office of Personnel Management's guidance on job sharing in the federal workforce</u> can provide a starting point for organizations contemplating job shares. The Office of Personnel Management's website includes guidelines and sample job share agreements.

## Flexible work arrangements help parents and family caregivers be present

Dan Williams, a new father employed by HOPE International, worked a flexible schedule for the first year after his child was born, allowing him more time with his daughter and savings on childcare expenses. He worked on Mondays and Tuesdays from 7am to 6pm, then on Wednesday and Friday for 7am to noon. On Wednesday and Friday afternoons, he was the primary care provider for his daughter. "The flexible work arrangement, with that first year of [my daughter's] life, with me being able to have those half days with her was just huge for us bonding as a father and daughter," he notes.<sup>38</sup>

Kelsey Fox, a HOPE employee and a mother of three, works 32 hours a week, taking Mondays off so that she can manage household tasks. This has "transformed our family dynamics," according to Fox. It enables the family to attend church and spend focused time together on the weekends rather than rushing through household tasks and chores. "For the most part," Fox says, "we are able to truly rest as a family." <sup>39</sup>





#### Part-time and flexible work policies enable care for an aging loved one

Karen and her sister have taken care of their parents for over a decade. As their parents' health declined, they needed to move them back to their hometown, then to assisted living and then to a nursing facility. Karen's part-time and flexible schedule enabled her to help in ways that her sister, a full-time teacher, could not. Karen works as a nurse and completes 40 hours every two weeks. When there is a medical appointment or change in a parent's status, she swaps shifts with other nurses to be available. Karen is facing her own health problems. She is a diabetic. By utilizing part-time work and flexible scheduling, she has been able to save paid sick days and family and medical leave for her own medical care and recovery.

#### 5.1 Why it matters

Compensation is a key decision for any organization. With respect to compensation, the Best Christian Workplaces Institute notes that "the extent to which employees feel "taken care of" by their organization can have a profound impact on their feelings and dedication toward the organization."<sup>41</sup> Compensation and benefits were among the top reasons employees wish to remain in or leave their workplace.<sup>42</sup>

Paid time off is an important component of a compensation package, perhaps one of the most highly valued. A survey of workforce preferences led by economist Nicole Maestas found that "people were willing to give up a substantial portion of their earnings—more than it would cost the employer to provide it—to get access to paid time off."<sup>43</sup> She notes that in the face of life's expected but unpredictable emergencies, paid time off is a benefit that provides peace of mind.<sup>44</sup>

Another reason to include paid time off in a compensation plan is to encourage rest and recovery, thus preventing long-term costs of illness and burnout. For sacred sector organizations influenced by Jewish and Christian traditions, the Sabbath stands as a testament to the need to place limits on work in order to reconnect, rest and worship.

This section focuses on two types of paid time off benefits that affect caregiving workers: paid sick days, paid family leave.

#### The lack of paid parental leave has snowballing health effects

One mother's experience in a workplace that did not provide paid parental leave illustrates the preventative value of paid time off. Alicia is employed as a care provider at a local day care center. Two weeks after giving birth and still recovering from a cesarean delivery, she returned to work. Though the day care center did not provide paid parental leave, her managers allowed her to bring her newborn to work. Lacking any other day care options, she did. Her son soon contracted a viral respiratory infection from older children in the day care. Alicia rushed him to the emergency room where he was hospitalized for a week. At one year old, he continues to have respiratory issues as a result of the infection.<sup>45</sup> Meanwhile, parents who brought their children to the day care center experienced worry and lack of trust in the center after observing the struggles Alicia experienced during her son's first year.

Had a paid maternity leave program enabled Alicia to stay home with her newborn, she may have been able to limit his exposure to infection and prevented future health problems and costs. Indeed, improved child health and reduced infant mortality are among the many public health benefits associated with parental leave. 46 Further, the day care center where she was employed would not have experienced the reputational costs associated with Alicia's experience.

# Three Organizational Choices Related to Paid Time off

#### Choosing a compensation philosophy

A compensation philosophy articulates a broad set of ideas about how the organization intends to compensate its employees. Typically, a compensation philosophy charts the organization's course relative to the market, describes how performance will be rewarded and helps balance various objectives such as recruiting talented employees and maintaining employee commitment.<sup>47</sup> A compensation philosophy can also incorporate and reinforce an organization's core values.<sup>48</sup> A sacred sector compensation philosophy that includes values-oriented objectives helps prepare the organization to incorporate its values into decisions about paid time off.

- Maintain compensation practices in line with the organization's core values and mission
- Foster individual development
- Promote loyalty and capacity for long-term contributions to the organization's mission

#### **Inclusive versus differentiated paid time off**

An important decision point for those designing compensation is whether paid time off should be offered as a lump sum of leave to be used for a variety of purposes, largely at the employee's discretion or whether leave should be differentiated into categories of paid sick days, paid vacation days and paid personal days. The first set of programs are typically called "paid time off benefit plans" or PTO. Sacred sector interviews found that differentiated sick and vacation days were slightly more common than PTO.<sup>49</sup> A handful of organizations provide both.

- 69 percent and 65 percent of sacred sector employers interviewed provided paid sick days and paid vacation days, respectively.
- 42 percent of sacred sector employers interviewed provided PTO benefits.

Differentiated paid time off programs require administrative processes to track multiple leave types. But they offer employers capacity to tailor accountability measures and award levels. PTO offers employees greater flexibility in how they allocate their time off and fewer administrative categories. There is some concern that a PTO structure incentivizes employees to work through an illness rather than use needed time for rest and recovery.<sup>50</sup>

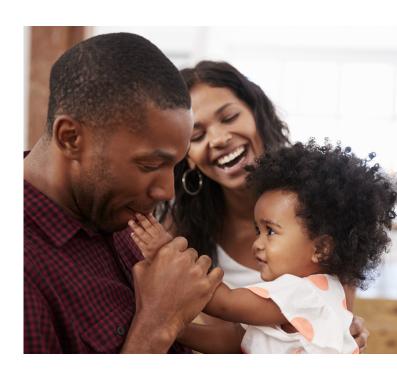
## Paid time off for short absences and intermediate-length events: Offer one or both?

Paid sick, vacation, and PTO are designed for short absences from work—anywhere from a few hours to several days. Family events such as the welcome of a new child, the need to care for a loved one in hospice, or attending to significant health may require more time away from work. Organizations can develop a compensation policy that provides different benefits for short absences or intermediate-length events. Alternatively, employers may be able to provide significant time off by offering generous PTO benefits, combining the ability to accumulate and "bank" PTO for extended leave. Examples of both approaches to paid leave are explained and compared below.

#### 5.2 Practice: Paid sick days

#### 5.2.1 Why it matters

Illness and injury are an unavoidable part of life. Everyone needs time to treat and recover from illness as well as for routine medical care visits. Researchers have found that a lack of paid sick days can decrease utilization of preventive health services<sup>51</sup> and that access to at least 10 paid sick days is correlated with securing preventive health care.<sup>52</sup> In one of the municipalities requiring paid sick days, researchers found parents were 20 percent less likely to send a child with a contagious illness to school.<sup>53</sup> Further, as the U.S. population grows older, the number of individuals who also provide care to an aging loved one will also likely grow.<sup>54</sup>



#### Paid sick days enable family care

For those involved in care for a loved one, having access to paid sick days is crucial.<sup>56</sup> Missy's experience illustrates the value of sick days combined with flexible work arrangements to someone engaged in a marathon-type of long-term care.

Missy is the primary caregiver and decision-maker for her mother who has had dementia for more than a decade. Missy does the grocery shopping and fields calls from her mother, calming her down when her mother becomes anxious. Missy works as a full-time bank teller and also clerks at the grocery store three nights a week. She has about four weeks of paid vacation from her bank job. She is saving up her longer-term leave for when her mother's health deteriorates and she needs even more care. For the time being, she uses her paid sick days or her capacity to swap shifts when her mother has a medical or other emergency need. For her mother's regular medical appointments, she plans ahead and uses scheduled holidays or gaps in her shifts.<sup>57</sup>

Luke Harbaugh, a church representative with HOPE International, was able to use the paid sick days he had accrued to accompany his father to the hospital during an intense four month season of treatment for cancer and related complications. Luke says this benefit had a significant impact on his job satisfaction.

"For me to be able to give [my parents] a ride back and forth to the hospital, it's been huge for my dad and my mom for somebody to bear the burden. ... From a personal standpoint, it just makes me that much more indebted to my organization that they've done something for me that I really appreciate and something for my family."58

#### Legal Background: Paid sick days

An increasing number of states and municipalities require organizations to provide paid sick days. Additionally, organizations that contract with the U.S. Government must provide their employees with seven paid sick days per year.<sup>59</sup>

States have set varying rates for sick days accrual, from one hour sick time per 87 hours worked (in Washington DC) to one hour per 30 hours worked (in several states)—resulting in approximately three to nine earned sick days per year.<sup>60</sup>

Oftentimes, state and local statutes also specify the purposes for which earned sick days may be used and for whose care leave can be used. In some states, employers are required to allow paid sick days to be used only for the employee, a spouse, or the employee's child. Other state laws include siblings, grandchildren, those in a person's care and custody and others among those for whom sick days can be used. An employer's policy can allow sick days be used for more care relationships than are required by law.

Some statutes exempt certain employer and job types.

Organizations should review their municipal and state laws on earned sick days when crafting compensation policy.

RESOURCE: <u>The National Conference of State Legislatures</u> provides a list and links to current state paid sick days laws.

Paid sick days benefits provide employees paid leave for absences from work caused by illness, injury, appointments and travel time to and from health care facilities.<sup>53</sup> Sick leave is typically used more flexibly than longer leave programs, involves fewer administrative steps, and is often available in short-increments (by the hour, half day, or day).

#### 5.2.2 Example: Number of paid sick days

How many paid sick days does a typical workplace offer? How many are appropriate for one's own workplace? Among sacred sector employers interviewed, those who provided paid sick days provided an average of 10 paid sick days per year. This was accompanied by 11 paid vacation days for employees with at least one year with the employer and 18 vacation days at 10 years of service. Those providing PTO benefits offered an average of 15 days per year at one year and 22 days at 10 years of service.<sup>61</sup>

According to the U.S. Bureau of Labor Statistics, the average full-time employee in the United States receives eight paid sick days per year. A survey of human resource professionals found the typical employer provided 11 paid sick days per year to full time employees and seven days per year for part-time employees.<sup>62</sup>

#### Resources for Sacred Sector Employers

Among the employer policies reviewed, several policies stood out as exceptional. HOPE International allows employees to accrue sick days at a rate of one day per month, up to a maximum of 40 days. All employees accrue sick days at the same rate. Paid sick days are provided in addition to paid vacation days which is accrued on a sliding scale based on length of employment. An excerpt of the Hope sick day policy is listed below.

#### 5.2.3 Examples: Use of paid sick days for family care

Paid sick days can serve as an important benefit for employees with family responsibilities if they can be used to stay home with a sick child or taking an elderly relative to a medical appointment. Employment policies should clarify for whose care sick days may be used. An employer policy may balance flexibility of use with accountability for documenting the family member's medical need. Two examples are provided below:

#### **SAMPLE POLICIES**

"Sick leave is to be used for the illness or injury of the employee, children of the employee living at home, spouse, and parents of the employee. It may not be used for friends or other family members... A physician's statement may be required in any case exceeding three days of absence or frequently occurring illnesses, or when in the judgment of the supervisor, such a statement is necessary." <sup>63</sup>

"To offer the greatest flexibility, sick time may be taken in 15-minute increments. Further, the care of an ill family member (including foster children) can qualify for sick leave status when the request is deemed reasonable and appropriate." <sup>64</sup>

#### 5.2.4 Examples: Paid time off banking and donation

Many employees place a high value on paid time off benefits because they provide a form of insurance against significant life events and health needs. Some compensation policies allow employees to accumulate a certain number of paid sick days each year and carry over unused days to the next year. This way, employees can create a "bank" of paid sick days. Here are several examples:

- The Archdiocese of Chicago provides 10 paid sick days at the beginning of the year. All sick days accumulate and carry over from year to year, up to a maximum of 120 days.
- A Christian college awards employees 10 sick days per year and allows banking of up to 180 paid sick days.
- A faith-based, nonprofit medical center awards employees 24 PTO days per year. Full-time employees with one to four years' tenure can accumulate and bank up to 52 days. Those with five years or more can bank up to 62 days.

Additionally, some employers set up processes whereby employees can donate leave that they do not expect to use to other employees who need it. Paid leave donation can help an employee through a taxing or catastrophic medical event such as a major injury, a difficult-to-treat illness, or a complicated pregnancy or childbirth. Several sacred sector organizations interviewed utilize paid leave donation as a means by which they could go "above and beyond" for employees facing extraordinary circumstances.

The donation procedures reviewed for this resource guide included several elements.

- Paid leave donation should not be a substitute for providing paid time off for routine personal and family events such as maternity or paternity leave or elder care.
- Criteria for receipt of donated leave.
   For example, some employers allow donated leave only for critical or catastrophic illness or caregiving events.<sup>66</sup>
- Limits on how much time may be donated and must be retained by donors. For example, the Standards for Excellence Institute suggests:
  - Employees may not donate paid leave unless they can retain a minimum of five work days of paid leave (inclusive of sick, vacation, personal and PTO) per year.
  - Employers designate the maximum amount an employee may note per year.<sup>67</sup>

## **5.3 Practice: Paid family leave**

#### 5.3.1 Why it matters

Welcoming a new child or caring for a family member are responsibilities and events that fundamentally shape human life and community. Both culture and the science of early child development tell us how important it is for parents to spend time with a new child. Parents provide child nutrition (often, but not always, in the form of breastfeeding), physical attachment, and security by establishing rhythms of sleep and wakefulness. Early care lays the foundations for child social and emotional learning in the months and years to come. Both maternity and paternity leave can be critical during this time of family transition.

#### Crucial transitions: Family care at the beginning and end of life

"Just as fast as I could exhale his name, [my son] was whisked into the infant exam room." Candice and Matthew's second child was born with medical complications that required extra hospitalization and recovery. That same week, Candice's mother was admitted to the hospital needing a heart transplant. Candice's husband Matthew used his paid family leave to care for their toddler and his mother-in-law while Candice and the baby recovered. Candice says, "My husband's paid parental leave was instrumental in giving us time to go through this transition ... [and] care for our children when I couldn't."68

When Barbara's boss at a small insurance company found out that her father had been diagnosed with cancer and admitted to hospice, he said, "You need to be with your dad," and offered her a paid family leave. Accompanying her father, who died the day before Christmas Eve, was difficult work: "I don't think I slept for the whole month. Even an hour could be exhausting!" Barbara says. "That month was the hardest of my life, but I wouldn't trade it for the world. ...It was an honor." She acknowledges the importance of her company providing paid leave: "Having that time to be with my dad without the added strain of not earning a paycheck was truly a godsend."69

## Legal Background: Family and medical leave in federal and state law

#### **Family and Medical Leave Act**

The primary federal public policy that articulates the responsibilities of employers related to employee caregiving obligations is the Family and Medical Leave Act of 1993 (FMLA).<sup>69</sup> FMLA requires eligible employers provide employees with 12 weeks of unpaid, job-protected leave each year. FMLA protects leave taken in the following circumstances: (1) the birth, adoption or fostering of a child; (2) an ill family member, including a parent, spouse or child; and (3) a personal serious health condition.

The FMLA applies to employers with at least 50 employees. The Department of Labor has made clear that the FMLA applies to religious employers who meet size thresholds. To For an employee to be eligible for FMLA's protections, he or she must have worked for their current employer for at least 12 months or 1,250 hours over the previous 12 months. The Family and Medical Leave Act provides that:

- Qualifying employees may take up to 12 weeks of leave in a 12 month period of time due to incapacity during a pregnancy or after childbirth.
- Both men and women are entitled to up to 12 weeks of job-protected leave to care for a new child.
- Workers can also receive up to 12 weeks of job-protected leave to care for a family member with a serious medical condition or to recover from one's own serious medical event. This can include accompanying family members to medical appointments or procedures.
- For baby bonding, employers and employees can negotiate how leave is to be scheduled:
   intermittent or all at once. For family caregiving or the employees' own illness, the employee can
   choose to take leave intermittently or all at once, depending on medical need. For example, an
   employee could take a few weeks of time off of work to accommodate medical treatment or a new
   father could request leave for one day a week over a series of weeks.
- Employers should take care not to ask employees to do work while on leave. Any work conducted by an employee must be voluntary and at the request of the employee.

Many organizations for whom FMLA is not legally binding do reference the standards set forth in the law as guidance for their employee policy. For detailed information on compliance with FMLA, consult <u>The</u> <u>Employer's Guide to the Family and Medical Leave Act</u>, published by the U.S Department of Labor.<sup>74</sup>

#### State family and medical leave laws

To date, eight states<sup>75</sup> and the District of Columbia<sup>76</sup> have enacted legislation relating to paid family and caregiving leave. These laws provide a paid benefit covering workers' wages during a family or caregiving leave. Each state specifies the source of funding for a paid benefit. In most states, benefits are not paid by the employer but from a state insurance program funded by employee or employer payroll taxes. These public paid leave programs typically replace a percentage of employees' wages up to a cap and are discussed in more detail in the next section on sources of paid family leave.

In states where paid leave is available, employers can combine public paid leave benefits with existing types of paid time off. In some states, certain religious organizations or religious staff are excluded from automatic coverage by the law. These laws may include an opportunity for excluded organizations to opt-in. Organizations should check their state's paid family and medical leave statutes when developing employee and compensation policies. The National Partnership for Women and Families regularly publishes summaries of state paid family and medical laws.

Family bonds also manifest in caregiving with loved ones who are seriously ill or at the end of life. Those in hospice, for example, require intensive care and an irreplaceable opportunity to be present with a parent or loved one.

Paid family leave is an organizational practice that allows employees to continue to earn a portion of their pay while they take time away from the workplace to provide for a variety of caregiving needs including the welcome of a child by birth or adoption, elder care, or care of an ailing family member. Whereas paid sick days or PTO benefits provide leave in shorter increments and with shorter notice periods, paid family leave supports employees who need weeks or months away from the workforce.

Alongside its crucial value for children and families, paid family leave is also a benefit that signals an organization's core values and engenders respect and loyalty from its employees. HOPE International, an organization with a parental leave policy reports, "We have 100 percent retention of working moms." Similarly, the Archdiocese of Chicago recently expanded their paid family leave program, noting in their policy statement its purpose to enable biological and adoptive parents "bonding with their baby/child and time to achieve a healthy balance between their employment and their new family obligations."

#### 5.3.2 Meeting equal opportunity standards

The Civil Rights Act of 1964 prohibits workplace discrimination based on employees' race, color, religion, sex, and national origin. In recent years, private workplace policies that provide different types of paid family leave have been challenged as discrimination on the basis of sex. The concern raised is that differential policies assume that women take on more caregiving responsibilities and that men take on fewer caregiving responsibilities. Policies that perpetuate this stereotype discriminate against both men and women.

Guidance from the Equal Employment Opportunity Commission, the federal agency that enforces the Civil Rights Act, discourages policies that provide differential lengths of leave to employees in ways that reinforce stereotypes about who provides care.<sup>77</sup> For example, providing longer baby bonding leave for mothers than fathers may qualify as legal discrimination.

One common way the workplaces we examined sought to provide leave on a gender-neutral basis was by distinguishing between primary and secondary caregivers and providing a longer paid leave to primary caregivers. However, a recent legal settlement suggests that a primary/secondary caregiver distinction raises legal risks and pose administrative problems for employers. If an employer were to assume female employees hold the primary caregiving role at home, they could be accused of gender discrimination. Therefore, providing different leaves to primary and secondary caregivers is a disfavored approach.

A better practice for employers is to take the following approach to paid family leave: Provide different types of leave that are tailored to different purposes. A policy could provide paid disability leave for pregnant employees. Paid disability leave applies to time an employee is disabled by pregnancy and in the recovery from childbirth. A second paid parental bonding leave policy could address the purpose of bonding and care for a new child. Bonding leave would apply to birth fathers, birth mothers and adoptive parents alike. Birth mothers would be able to utilize both a disability leave for their own health and a parental, bonding leave for their baby consecutively.

#### RESOURCE: Sample paid parental leave policies appear in the appendix.

#### **5.3.3** Sources of paid family leave benefits

Sacred sector interviews and a review of employee policies found that employers designed paid family leave benefits in a variety of ways. Just under half of the sacred sector organizations interviewed (46 percent) provided some form of paid parental leave benefit.<sup>79</sup> The sources of leave include benefits paid directly by the employer, short-term disability insurance and public paid family leave programs. Some organizations combined a variety of sources.<sup>80</sup>

#### 5.3.3.1 Employer Paid Leave

Several of the employee policies we reviewed included a provision that stated that the organization "provides time off for employees without loss of pay" following certain family events such as the birth or adoption of a child. Under these parental leave policies, the employer simply continues employees' regular pay and benefits during their time away from work for a qualifying event. Many organizations provide paid sick or PTO time and advise employees to utilize these paid days off, along with vacation days, to cover their wages during a family or medical leave from work.

#### 5.3.3.2 Short Term Disability Insurance

Short-term disability insurance is a private insurance product designed to help employees cover lost wages in the event that a medical emergency or disability prevents them from working. Employers may choose to cover the insurance premiums or pass on the premium cost to employees. Some organizations offer it as an optional benefit. Other organizations provide this benefit to all employees.

According to the Society for Human Resource Management, of employers who provide some replacement pay during leave, the significant majority (78 percent) fund this leave in part or in full through a short-term disability insurance policy.<sup>81</sup>

Short-term disability insurance typically covers a portion of wages during leave (the average is two-thirds). Short-term disability insurance—because it is designed to insure against an employee's physical incapacity—only covers parts of a mother's pregnancy and physical recovery from childbirth. Therefore, it does not cover baby bonding leave for mothers (beyond physical recovery), fathers, adoptive parents, or leave for any other family care. The length of time covered depends on the mother's medical condition with less time offered for an uncomplicated birth and more coverage for Cesarean section and medically complex births. Many policies impose a waiting period of several days or weeks before benefits are paid.

#### 5.3.3.3 Public paid leave programs

Several states have enacted laws creating public paid family leave programs funded by payroll taxes. These state-paid family leave funds provide wage replacement to employees for qualifying family and medical care events. The events covered typically match those protected by the FMLA. Details regarding the types of care events covered vary from state to state. Organizations should consult their current state law.

RESOURCE: <u>The National Partnership for Women and Families</u> regularly publishes updated summaries of state paid family and medical laws.

#### 5.3.4 Length of paid family leave

How much paid family leave an organization should provide depends upon multiple factors from organizational capacity to workforce needs. We suggest considering the following guidelines and benchmarks when developing a paid leave program.

The Family and Medical Leave Act can serve as one guideline. FMLA protects 12 weeks (60 days) of unpaid leave from work. Some employers try to cover those full 12 weeks with a paid benefit.

Child development, health and family caregiving needs also help determine how much time someone may need to spend away from work. Consider:

- The average mother requires six to 10 weeks just to recover physically from childbirth.
- An infant begins to babble and interact with adults in his or her environment, establishing foundational social skills, between 12 and 16 weeks after birth. This is a critical window for child development.
- The American Academy of Pediatrics recommends exclusive breastfeeding during a child's first 24 weeks of life and that a child not enter daycare for the first 12 weeks.
- One of the most intensive forms
   of family care is hospice. The average length of hospice service is nine weeks.<sup>82</sup>

#### 5.3.5 Examples and comparison

Paid family leave can be covered by a variety of sources: a designated paid family leave program, insurance, or flexible PTO benefits. How much paid time off employees actually can enjoy depends both upon the type and amount of benefits. Below are several examples followed by a comparison that helps illustrate how different approaches function in different circumstances.

**SCENARIO A: 12-week parental leave plan and paid sick time.** An employer offers 10 paid sick days per year and allows carry-over and accrual of sick days up to a maximum of 120 days. Additionally, the employer provides 60 days of paid parental leave.

**SCENARIO B: Four-week parental leave plan and paid sick time.** A church offers its employees up to 10 paid sick days per year and allows carry-over and accrual of sick days up to a maximum of 40 days. The church also offers 20 days of paid maternity and paternity leave to its staff.

**SCENARIO C: PTO-only.** A health system provides 24 days PTO per year (increased to 26 days PTO after five years). Employees can carry over and accrue PTO to 52 days (for those

#### Calculating the Costs and Benefits of Paid Family Leave

How much will it cost to implement a paid family leave policy? How do those costs compare to the organizational benefits?

The advocacy organization PL+US provides detailed resources for comparing the costs and benefits of providing paid family leave. Those resources, including a spreadsheet to help with those calculations are available on their website: paidleave.us/resources.

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with less than five years). The cap on PTO accrual increases with increased tenure. Any days accumulated in excess of the cap roll over into an Extended Illness Bank to which that employee alone donates leave. Employees can keep a maximum of 70 days in their Extended Illness Bank.

SCENARIO D: Short-term disability insurance, paid parental leave and public program. A church based in a state that now hosts a paid family and medical leave program offers a short-term disability insurance policy with a five-day waiting period. The state paid family leave program provides a 55 percent wage replacement to employees up to a cap. The employer covered all gaps not covered by short-term disability insurance payments and state paid family leave payments, ensuring that employees would receive 100 percent pay for 12 weeks of leave. The employer also offers 10 paid sick days per year.

How do different amounts and combinations of benefits translate into paid time available for family care? We compared the approaches described above using a model that includes both paid sick days and paid family leave. Assuming that the typical employee uses eight paid sick days per year and those in the PTO-only plan use seven days of vacation, how much time remains for parental or other types of family care leave? We calculated the outcomes for each of the different approaches described above. When assessing its own compensation and paid leave package, an organization should consider:

- What types of events does the organization want to cover based on its core mission, values and needs of workers? Parental leave? Family caregiving? End of life caregiving? Medical leave? Note that the plans described above, which were typical of the employee policies we reviewed, provide more leave for new parents than they do for other family caregivers or for personal medical needs—particularly in the first few years of employment.
- If the organization currently provides only PTO, is it possible for the typical employee to accumulate enough to cover parental leave, a major family care event, or personal medical need? How long would it take the typical employee to accumulate enough paid time off for these events?
- Does the organization have access to short-term disability insurance products? A short-term disability policy would provide birth mothers with access to a paid benefit before and after childbirth during recovery. It would not provide benefits to fathers, adoptive parents, or other family caregivers.
- What public paid family leave programs are available in our state? Can employees access benefits through those programs?

#### **Comparing Paid Leave Approaches**

How many days are available for family care after **one year** of employment?

	Paid sick or PTO^	Short-term disability insurance	Public paid family leave	Employer paid family leave	TOTAL days for parental leave	TOTAL days for other family care
Scenario A: 12- week parental leave + paid sick days	2	0	0	60	62	2
Scenario B: 4-week parental leave + paid sick days	2	0	0	20	22	2
<b>Scenario C:</b> PTO only	9	0	0	0	9	9
Scenario D Insurance + paid Ieave + public program	2	25* (partial pay)	40** (partial pay)	60 (partial pay)	62	2

**METHODOLOGY AND ASSUMPTIONS:** For these examples, benefits for full-time employees are described and are calculated in days. Because several of these plans rely upon paid sick or PTO accrual, we calculated their impact for a person who has just completed one year of employment and one who has completed five years of employment.

<sup>^</sup> Length of PTO remaining after typical useage. Here we assume employees use at least eight sick days and seven vacation days per year.

<sup>\*</sup>For the purpose of this analysis, we assumed that the short-term disability insurer determines a birth parent is deemed medically unable to work for 30 days. Benefit is reduced by the five-day waiting period.

<sup>\*\*</sup> The state law provides partial pay for eight weeks of family leave.

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How many days are available for family care after five years of employment?

	Paid sick and/or PTO^	Shorter term disability insurance	Public paid family leave	Employer paid family leave	TOTAL days for parental leave	TOTAL days for other family care
Scenario A: 12- week parental leave + paid sick days	10	0	0	60	70	10
Scenario B: 4-week parental leave + paid sick days	10	0	0	20	30	10
Scenario C: PTO only	52	0	0	0	52	52
Scenario D: Insurance + paid leave + public program	10	25* (partial pay)	40** (partial pay)	60 (partial pay)	70	10

**METHODOLOGY AND ASSUMPTIONS:** For these examples, benefits for full-time employees are described and are calculated in days. Because several of these plans rely upon paid sick or PTO accrual, we calculated their impact for a person who has just completed one year of employment and one who has completed five years of employment.

<sup>^</sup> Length of PTO remaining after typical useage. Here we assume employees use at least eight sick days and seven vacation days per year.

<sup>\*</sup>For the purpose of this analysis, we assumed that the short-term disability insurer determines a birth parent is deemed medically unable to work for 30 days. Benefit is reduced by the five-day waiting period.

<sup>\*\*</sup> The state law provides partial pay for eight weeks of family leave.



#### 6.1 Why it matters

When experts look at the success of family-supportive workplace policies, they find that cultural and relational support is critical.<sup>83</sup> Are family-supportive policies simply on the books or are they widely known and utilized? Are the employees who utilize these benefits seen as less than committed to the organization? Are family responsibilities viewed with respect?

A family-supportive workplace will pay attention to how family-supportive practices are implemented, communicated and modeled.

With respect to implementation, formalizing family-supportive practices is an important first step. This allows the policies to be accessed and applied equitably across the organization and avoids subjective application from department to department. Training managers in family-supportive policies and practices can further aid implementation.

#### 6.2 Practice: Managing parental leave

The Better Work, Better Life project from Advancing Women Professionals identified several best practices for managing a parental leave program. A selection from their list is quoted below:

- "Create a parental leave work plan. Outline the staff member's responsibilities prior to parental leave; assignments to be completed by others...
- **Acknowledge impact on colleagues.** Staff may raise concerns about additional workload during a colleague's leave. Keep communication open and adjust the plan. Recognize staff who go "above and beyond" with a bonus, comp time, or acknowledgement in the performance review...
- **Cross-train.** Parental leave is an opportunity to build staff capacity. Cross training improves a team performance overall and bridges the gaps during any one staff member's absence.<sup>84</sup>"

For some organizations and managers, a mindset shift occurs from seeing work and family-supportive policies in conflict to compatible parts of a whole system. One consultant suggests, "What [managers] must balance is not the conflicting desires for output (on the employer's part) and time away from work (on the employee's part). It's the two sides of a coin (that) both parties want: good work accomplished today, by burning energy, and good work accomplished tomorrow, by conserving and replenishing energy."85

An important way to both implement and communicate family-supportive practices are at new employee orientations and periodic trainings and retreats. Organizations can reinforce their core values and practices by sharing stories that illustrate their significance. The national department store Nordstrom, for example, promotes its culture of customer service by sharing stories about how employees have gone to great lengths to provide excellent service. What if the stories of managers and teams who came together to support a co-worker's leave were highlighted? Or, stories of employees who excelled in work quality and teamwork while utilizing flexible work arrangements? How

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might this set the tone for an organization's attitude and culture around family supportive work?

Finally, informal modeling and support from supervisors and leaders can make a profound difference in an organization's culture. When women were asked about their journey to leadership in Christian organizations, many highlighted the commitment of other senior leaders to crafting a workable work situation. This meant a great deal to them, signifying that others valued their contribution to the organization.<sup>87</sup>

#### CONCLUSION

very organizational leader knows that the policies contained in an employee policy or manager's training guide can have human impact that extends far beyond these documents. This is true for family-supportive workplace practices as well. As Pastor Peter Chin, a father of five and spouse to a cancer survivor explains, "When we use terms like 'family leave,' we think about administrative and policy changes that have to happen to make those things possible. But the ramifications of those policy decisions are deeply personal and spiritual. We're talking about marriages; we're talking about people's health; we're talking about their welfare and how cared for they feel."

[T]he ramifications of [administrative] and policy decisions are deeply personal and spiritual. We're talking about marriages; we're talking about people's health; we're talking about their welfare and how cared for they feel."

As the nature of work and expectations of the workplace change, sacred sector organizations are uniquely positioned to embrace a whole-person, family-friendly approach that many employees seek out. They can do so successfully by reflecting on how their core values are already exhibited in the workplace and how they could be further incorporated. Many organizations have a set of informal practices relating to family life. A key step is to formalize these practices in an employee policy and to prepare managers and staff to utilize them. Without formal policies or adequate training, newer employees and employees with less authority may feel especially unable to access important work-family supports.

A second key step is to remember that the relationship between family and work need not be zero-sum. There is evidence that the spheres of work and family care can be mutually enriching. Research continues to explore the ways that "work-life initiatives reduce stress and increase personal and team resilience. This enables employees to cope with growing pressures from fast-paced environmental change in ways that are sustainable for their well-being" and, in turn improves the organization's performance. Indeed, flexibility, creative problem solving, teamwork, sensitivity to the rhythms of human life—all of these capacities are cultivated in the course of caregiving. Employers that protect and value caregiving may find a positive spillover of these capacities into the workplace.

The values an organization cultivates and conveys are some of its greatest assets. Values build loyalty among employees and trust between and organization and its customers, beneficiaries, and supporters. Aligning an organization's space, time, compensation, and culture to reflect values of human dignity and respect for family life could be one of the most important investments an organization can make.

#### **ACKNOWLEDGEMENTS**

The Center for Public Justice wishes to thank the individuals and institutions that contributed their experiences and expertise to this resource. HOPE International has inspired us as an organization committed to missional integrity in its aims and operations. HOPE International staff—Wendy-anne Durika, Kelsey Fox, Luke Harbaugh, and Dan Williams generously shared their first-hand experiences with family-supportive workplace practices as human resource professionals (Wendy-anne) and caregiving workers (all).

We're grateful to several leaders in organizational development and employment law who contributed their expertise: Amy Coates Madsen and Padraic McSherry Morton at Maryland Nonprofits, and Jenna Gerry, Sharon Terman, Katherine Wutchiett at Legal Aid at Work. Chelsea Langston Bombino, Virginia Creasy, Chelsea Maxwell, Stephanie Summers, and Amy Ziettlow provided research, content, and editorial assistance. Prior research on family-supportive workplace practices by Denise Daniels, Vicki Eveland, Randal S. Franz, and John Godek informed this resource.

Thank you to Phil Mollenkof and Jenna Mahafie at Cultivate for lead design, to Meg Biallas Henry for design and promotion, and to Rebecca Wiatroski for her design contributions.

We are tremendously grateful to the Family Prosperity Learning Community at Ascend at the Aspen Institute, through which this project was supported and incubated.

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# Resources for organizational management and development

**STANDARDS FOR EXCELLENCE INSTITUTE:** A national initiative established to promote the highest standards of ethics, effectiveness, and accountability in nonprofit governance, management, and operations, and to help all nonprofit organizations reach these high benchmarks. **www.standardsforexcellence.org** 

**SACRED SECTOR:** A learning community for faith-based organizations and emerging leaders within the faith-based nonprofit sector to integrate and fully embody their sacred mission in every area of organizational life. Sacred Sector is an initiative of the Center for Public Justice. <a href="https://www.sacredsector.org">www.sacredsector.org</a>

**NATIONAL COUNCIL OF NONPROFITS:** A resource and advocate for charitable nonprofits. Provides links to state associations of nonprofits and resources such as compensation surveys for nonprofit organizations.

www.councilofnonprofits.org

**BEST CHRISTIAN WORKPLACES INSTITUTE:** An employee engagement ministry dedicated to helping Christian leaders and organizations achieve their full potential by creating flourishing staff workplaces.

www.bcwinstitute.org

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We encourage readers of this guide to consult the Standards for Excellence Institute or one of its replication partners for in-depth tools and guidance for nonprofit management.

The Standards for Excellence® is a national initiative that is designed to promote the highest standards of nonprofit governance, management and operations. The Standards for Excellence®: An Ethics and Accountability Code for the Nonprofit Sector ("Standards for Excellence Code") identifies six major areas of nonprofit governance and management:

- Mission, Strategy and Evaluation
- Leadership: Board, Staff and Volunteers
- Legal Compliance and Ethics
- Finance and Operations
- Resource Development
- Public Awareness, Engagement and Advocacy

Each topic area includes specific benchmarks and measures that provide a structured approach to building capacity, accountability and sustainability in your organization. The Standards for Excellence Institute has developed and maintains educational resource packets covering valuable information and model policies. The Leadership as well as Finance and Operations sections of the Standards for Excellence code address issues of employment, personnel policies and workplace practices.

The Center for Public Justice's Sacred Sector initiative serves as a licensed replication partner through which members of its learning communities can access Standards for Excellence materials, training programs and tools. For more information about the Standards for Excellence Institute, visit Standardsforexcellence.org. To learn more about the Center for Public Justice's Sacred Sector initiative, visit www.sacredsector.org.

# **Guidance on specific issues**

- "Break Time for Nursing Mothers," U.S. Department of Labor
- "Questions and Answers on Pregnancy Discrimination," Equal Employment Opportunity Commission
- "Model Pregnancy Accommodation Policy," Center for WorkLife Law
- "A Charitable Nonprofit's Guide to Telecommuting," part of the Standards for Excellence packet, Personnel Policies, Employee Orientation, Compensation and Evaluation, available from the Standards for Excellence Institute
- "Managing Flexible Work Arrangements," Society for Human Resource Management.
- "Part-Time & Job Sharing," U.S. Office of Personnel Management
- "Compensation Philosophy Statements," part of the Standards for Excellence packet,
   Personnel Policies, Employee Orientation, Compensation and Evaluation, available from the
   Standards for Excellence Institute
- "Compensation for Nonprofit Employees," National Council of Nonprofits
- "<u>Paid Sick Leave</u>" (list of states requiring paid sick leave), National Conference of State Legislatures
- "Leave Donation Program," part of the Standards for Excellence Employee Handbook in the Standards for Excellence packet, Personnel Policies, Employee Orientation, Compensation and Evaluation, available from the Standards for Excellence Institute
- "Employer Best Practices for Workers with Caregiving Responsibilities," U.S. Equal Employment Opportunity Commission
- "The Employer's Guide to the Family and Medical Leave Act," U.S. Department of Labor
- "Cost Benefit Analysis Resources," PL+US
- "Sample Family Friendly Workplace Policies," Health Mothers Workplace Coalition
- "Better Work, Better Life Campaign," Advancing Women Professionals in the Jewish Community

# **Paid Leave Compensation Checklist**90

TOPIC	QUESTIONS
Compensation philosophy	Does your organization have a compensation philosophy? Does it incorporate the organization's core values and desired culture?
Amount of paid leave	How much time off do you want to give to individual employees?
	Does the time off contemplate and provide enough time for employee flourishing, including for caregiving and rest?
	Will seniority play a role in the establishment of PTO or vacation time?
	What legal requirements regarding accrual rate of earned sick time apply to your organization? To which employees do these requirements apply?
Structure of paid leave program	Do you want to combine vacation and sick leave into one policy (Paid Time Off) or maintain two separate policies?
	For paid sick days or family leave, for whose care can these days be used? Care of self, immediate, or extended family?
	What legal requirements regarding carry-over and pay-out of paid family leave apply to your organization? What are the fiscal and accounting consequences of carry-over or pay-out provisions that accompany paid leave?
	Can employees carryover or 'save' unused time each year? Or do you prefer a 'use-it-or-lose-it policy? If leave is carried over, which types of leave can be carried over or saved? How much time can be carried over or saved?
	Will unused paid time off be paid out upon termination? If so, which types of paid time off (sick, vacation, PTO, etc)?
	Does the organization want to provide leave for certain purposes or clarify that it can be used for certain purposes? Do state or local laws require leave for certain purposes. For example: bereavement, educational events (for children), seeking protection from domestic violence, providing bone marrow or organ donation, voting, jury duty, military leave.

TOPIC	QUESTIONS
Intermediate and extended length leave	Is your organization subject to the Family and Medical Leave Act (FMLA)? If so, how are FMLA job protections communicated to and accessed by employees?
	Do you want to offer an unpaid leave of absence that extends beyond the amount of time covered by paid leave programs?
	For extended leave policies, what are the employee's reinstatement rights and benefits eligibility during leave? How is this communicated to employees?
	Is the organization affected by state programs providing paid family, medical, or disability leave?
	What sources are available and will be used or combined to provide wage replacement during intermediate length leaves from work (typically those covered by FMLA): Short-term disability insurance, employer-paid leave, public paid family leave program.
	What portion of wages does the organization aim to cover during employee's extended leave?
	Does leave structure meet equal employment standards of treating male and female employees equitably and avoiding gender stereotypes?
Administration of paid leave	When do employees become eligible to take leave of any nature? Are there waiting periods for leave?
	Do you want your vacation policy to coincide with the employee's anniversary, your organization's fiscal year, or the calendar year?
	How far in advance must the employee schedule leave? Under what circumstances will employees need to demonstrate medical or other evidence for leave?
	Does the administration of paid time off and paid leave policies avoid disparate treatment by gender and avoid gender stereotypes regarding who will need or use time off to provide family care?
Paid leave dona- tion	Do you maintain a mechanism whereby employees can donate paid leave to other employees in special circumstances? What is the process for requesting donated leave? For donating leave?

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ТОРІС	QUESTIONS	
	Is there a maximum amount of leave that can be donated? Is there a minimum amount of leave time that cannot be donated?	
Status of unused leave time	Will unused paid time off be paid out upon termination? If so, which types of paid time off (sick, vacation, PTO, etc)?	
	What happens to donated leave that is not used? Is it returned to the donor-employee?	

# Sample paid family leave policies

### SAMPLE PAID FAMILY LEAVE POLICY: ALL PARENTS

**NOTE:** One way to craft a parental leave policy is to provide the same leave length to all parents welcoming a new child. Under this approach, an organization can simply call the policy "parental leave" or "maternity and paternity leave." Under such a policy, men and women, adoptive and birth parents should all receive the same length of leave. An alternative to this approach is to offer distinct leaves for distinct family-related purposes. This example is provided below.

Consult with a local attorney to clarify any state laws affecting your organization's paid family and medical leave policy.

ISSUE	SAMPLE EMPLOYMENT POLICY	ORGANIZATIONAL CONSIDERATIONS
Purpose of leave	ORGANIZATION provides time off for employees without loss of pay for the birth or adoption of a child.	For policies that provide a single length period of time for "parental leave" mothers and fathers should receive the same length and wage replacement rate. Employers may choose to treat foster parents the same as birth and adoptive parents or to create a separate policy for foster parents. Employers may offer a separate paid leave for employee health conditions, including pregnancy and recovery from childbirth.
Leave length	Employees will receive NUMBER paid days off following the birth or adoption of a new child for bonding.	The number of days paid time off provided is up to the employer. Organizations analyzed for this sample that had a uniform, "all parents" parental leave policy provided between 10 and 60 days paid leave. Some supplemented that time with accumulated PTO and/or temporary disability insurance (see below).
Wage replacement rate	VERSION ONE: "Employees will receive [X] paid days off"  VERSION TWO: "Employees will be paid for [X] weeks of their regularly scheduled weekly hours."	Employers can choose the rate of wage replacement provided for parental leave. All organizations that we analyzed provided full pay for full-time employees. Version Two specifies that full and part-time employees will both receive benefits proportional to their typical work hours.
Relationship to other policies	Paid parental leave runs concurrent with the period of leave covered by the FMLA.	Many policies include a provision speci- fying that paid parental leave runs con- current with FMLA job protections.

ISSUE	SAMPLE EMPLOYMENT POLICY	ORGANIZATIONAL CONSIDERATIONS
Limit on frequency of use	Paid parental leave is limited to one paid leave per TIME PERIOD from the benefit period.	Employers choose how frequently paid leave benefits may be used.
When is leave is to be used	Employees who meet the eligibility requirements will have up to 12-weeks of paid parental leave for birth or adoption which must be used during the 12-month period immediately following the birth or adoption.	The policy can specify the window of time in which an employee can take paid parental leave. Organizations in our sample indicated that the leave must be used in the first six months after birth or in the first 12 months after birth.
How is leave to be used	Employees may use parental leave in a single block of time or intermittently if approved by the employer. Intermittent leave must occur on a regular schedule agreed to by both employee and employer and demonstrated not to unduly disrupt ORGANIZATION's operations.	Employers may allow parents to take intermittent leave, according to a schedule agreed upon by the employer and employee. (e.g. every Friday for [X] number of weeks following the welcome of a new child).
Supplementing with other benefits	Employees may also use paid sick days, vacation days, or PTO or be eligible to apply for short-term disability in order to extend their leave.	The policy can note what other benefits are provided by the employer and can be used to cover wages during a leave.
Status of other benefits during leave period	PTO benefits and sick days will continue to accrue for employees who will be returning to ORGANIZATION while they are on paid parental leave.	Accrual of other benefits during parental leave is at the discretion of the employer.

ISSUE	SAMPLE EMPLOYMENT POLICY	ORGANIZATIONAL CONSIDERATIONS
Provision of leave for part-time employees	For employees working less than 40 hours per week, the benefit will follow the policies above but will be further prorated based on the current hours worked per week. For example, a part-time employee working 20 hours per week and planning to continue working after welcome of a child will receive the full benefit prorated by 50 percent.	Employers may provide paid parental leave to full or part-time employees. This language demonstrates how part-time employees can be included on a prorated basis.
Short-term disability insurance policy	ORGANIZATION provides short-term disability benefits to all employees. The disability insurance plan pays PERCENTAGE of the employee's salary due to an illness or injury that renders him or her unable to work.	Many organizations choose to purchase a short-term disability policy on behalf of their employees. These policies will provide wage-replacement to women who are unable to work because they are recovering from childbirth.  Organizations in our sample that provided short-term disability insurance did so at a rate of 60 percent to 100 percent wage replacement. Many short-term disability policies have a waiting period before benefits are available.  The policy should make it clear that an employee may take paid leave due to a disability arising from childbirth and then subsequently paid leave to bond with a new child.

### SAMPLE PAID LEAVE POLICY: DISABILITY, BONDING, AND CAREGIVING LEAVES

An alternative to a paid leave policy that treats all parents alike is one that distinguishes the type of care for which the leave is used and crafts the policy accordingly. The sample below highlights the types of leave protected by the FMLA. An employer could provide one, some, or all of these leaves. We note here sample language for the purpose of leave and length of leave. For other elements, see the paid leave policy above.

Consult with a local attorney to clarify any state laws affecting your organization's paid family and medical leave policy.

ISSUE	SAMPLE EMPLOYMENT POLICY	ORGANIZATIONAL CONSIDERATIONS
Purpose of leave	ORGANIZATION provides time off for employees, without loss of pay, for recovery following the birth of a child.  ORGANIZATION provides time off for employees, without loss of pay, for bonding following the birth, adoption, or foster care of a child.  ORGANIZATION provides time off for employees, without loss of pay, to provide care for an immediate family member who has a serious health condition.  ORGANIZATION provides time off for employees, without loss of pay, during a serious health condition that makes the employee unable to perform his or her job.	Employers can choose to provide any of the following types of leave:  1) Recovery from childbirth (for birth mothers only).  2) Bonding and care of a child following birth, foster placement and adoption of the child (for all parents).  3) Providing care to a loved one with a serious health condition.  4) Recovery from one's own health medical condition.
Leave Length	Employees will receive 30 paid days off for recovery following the birth of a child.  Employees will receive 30 paid days off for bonding following the arrival of a child.  Employees will receive 20 paid days off to provide care for an immediate family member.  Employees will receive 20 paid days off to provide care for one's one health condition.	An employer can decide how many paid days off to provide for each purpose. Except for paid leave provided for childbirth recovery, all other leave types must be provided in the same amounts and on the same terms to male and female employees.  The numbers provided in the sample policy are examples.