
Family and Medical Leave Policies and Practices of U.S. Establishments

The cornerstone of the Family and Medical Leave Act is that covered and eligible employees can take up to 12 weeks of unpaid leave for specific family- or health-related reasons. These reasons, which this report will refer to as FMLA reasons, include:

- Employee's own serious health condition;
- Mothers for maternity-related reasons;
- Parents (mothers and fathers) to care for a newborn;
- Parents for a new adoption or foster care placement; and
- Care of employee's child, spouse, or parent for a serious health condition.

In addition, health benefits, if provided by the employer, must be continued while employees are on leave, and employees must be restored to the same or equivalent job upon return to work

This chapter describes the family and medical leave policies of U.S. establishments. First, it discusses establishments' provision of benefits consistent with the Family and Medical Leave Act. Second, it explores the provision of additional benefits beyond those specified in the Act. In describing benefits, it compares the policies of FMLA-covered and non-covered establishments, and compares policies of FMLA-covered establishments of different sizes. Finally, it describes changes in establishments' family and medical leave policies since 1995.

Differences between groups (including the 1995 and 2000 surveys) were analyzed for statistical significance by means of either chi-square tests or z-tests. These tests were computed taking into account the specific sample design and weighting of the data. An observed difference has been deemed "significant" if there is less than a 10 percent chance that the difference occurred by chance, given that the null

hypothesis of “no difference” is true (i.e., $p < .10$). Furthermore, for all significant differences it is noted whether the significance is at the 10 percent level ($p < .10$) or the 5 percent level ($p < .05$).

The analyses described in this chapter classified establishments as covered by the FMLA if they reported 50 or more employees at the sampled location, or if they reported 50 or more employees at locations within 75 miles of the sampled location.²⁹ About 15 percent of establishments classified as covered by this measure reported that they did not know if they were covered by the FMLA; these establishments are included as covered establishments in the analyses reported in this chapter. Sixteen percent of establishments classified as non-covered by this definition reported that they *were* covered by the Act. The data on these establishments are reported with the other establishments classified as non-covered.³⁰

5.1 Provision of Benefits Consistent with the FMLA

In order to assess whether establishments provided benefits consistent with the provisions of the FMLA, the establishment survey included items asking whether the establishment provides up to 12 weeks of unpaid leave for each FMLA reason. If leave is provided for a particular reason, establishments were asked whether they continue health benefits during leave for that reason and whether the employee is guaranteed a job upon return from leave. This section describes establishment policies for these FMLA requirements.

5.1.1 Policies for Leave for Family and Medical Reasons

The majority of all establishments indicated that they provide up to 12 weeks of unpaid leave for four of the five FMLA reasons (see last column of Table 5.1). Unpaid leave is provided by 69.2 percent of establishments for an employee’s own serious health condition, 68.8 percent for maternity-related reasons, 60.6 percent for care of a child, spouse or parent, and 54.5 percent for parents to care for a newborn. The only exception is for adoption or foster care placement, where only 48.1 percent provide leave for that reason.

²⁹ See page 3-1 for FMLA definition of covered employees.

³⁰ See Appendix C for implications this has for the analysis described in this chapter.

Table 5.1. Family and Medical Leave Policies by FMLA Coverage Status: Reasons for Which Up to 12 Weeks of Leave is Provided: 2000 Survey

Establishment Provides Leave For: ⁽¹⁾	Percent of Covered Establishments	Percent of Non-covered Establishments	Percent of All Establishments
Employee's Own Serious Health Condition**			
Yes	91.9%	66.4%	69.2%
No	2.8%	21.3%	19.3%
<i>Depends on circumstances</i>	5.3%	12.2%	11.5%
Mother's Maternity-Related Reasons**			
Yes	94.1%	65.7%	68.8%
No	3.4%	23.2%	21.0%
<i>Depends on circumstances</i>	2.5%	11.1%	10.1%
Parents to Care for Newborn**			
Yes	87.8%	50.5%	54.5%
No	5.1%	33.5%	30.4%
<i>Depends on circumstances</i>	7.2%	16.1%	15.1%
Parents for Adoption or Foster Care Placement**			
Yes	85.7%	43.5%	48.1%
No	6.6%	35.9%	32.7%
<i>Depends on circumstances</i>	7.7%	20.6%	19.2%
Care of Child, Spouse, or Parent for Serious Health Condition**			
Yes	88.6%	57.1%	60.6%
No	4.6%	29.3%	26.6%
<i>Depends on circumstances</i>	6.8%	13.6%	12.9%
All of Above FMLA Reasons**			
Yes	83.7%	33.5%	39.1%
<i>No or Depends on circumstances</i>	16.3%	66.5%	60.9%

(1) Order of items was changed in the 2000 survey.

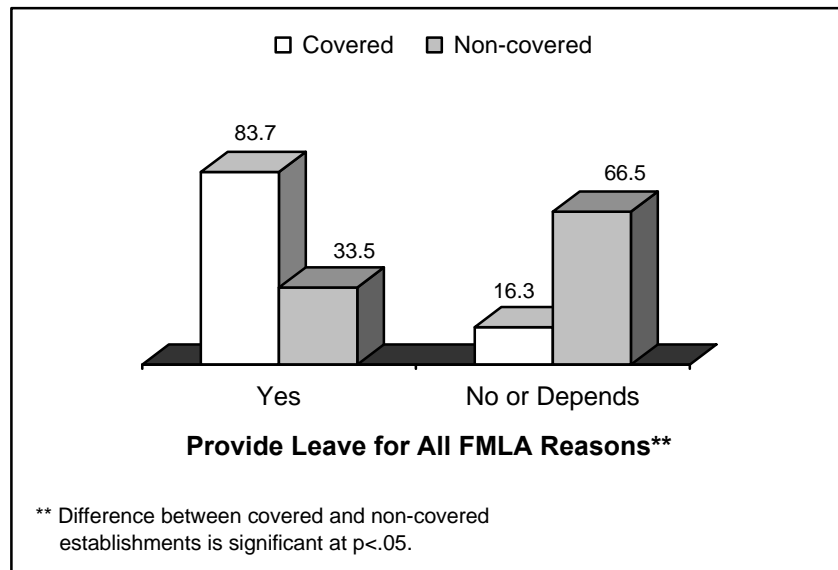
** Difference between covered and non-covered establishments is significant at $p < .05$.

Note: Column percents may not total to 100% due to rounding.

Source: 2000 Survey of Establishments.

Most establishments covered by the FMLA reported that they provide up to 12 weeks of unpaid leave for all the reasons mandated by the Act (83.7%). In contrast, non-covered establishments are significantly less likely than covered establishments to provide leave for all FMLA reasons. Fewer than half as many non-covered establishments (33.5% of non-covered vs. 83.7% of covered) provide unpaid leave for all reasons (Figure 5.1).

Figure 5.1. Comparison of Covered and Non-covered Establishment Policies for Providing Up to 12 Weeks of Unpaid Leave for All FMLA Reasons: 2000 Survey

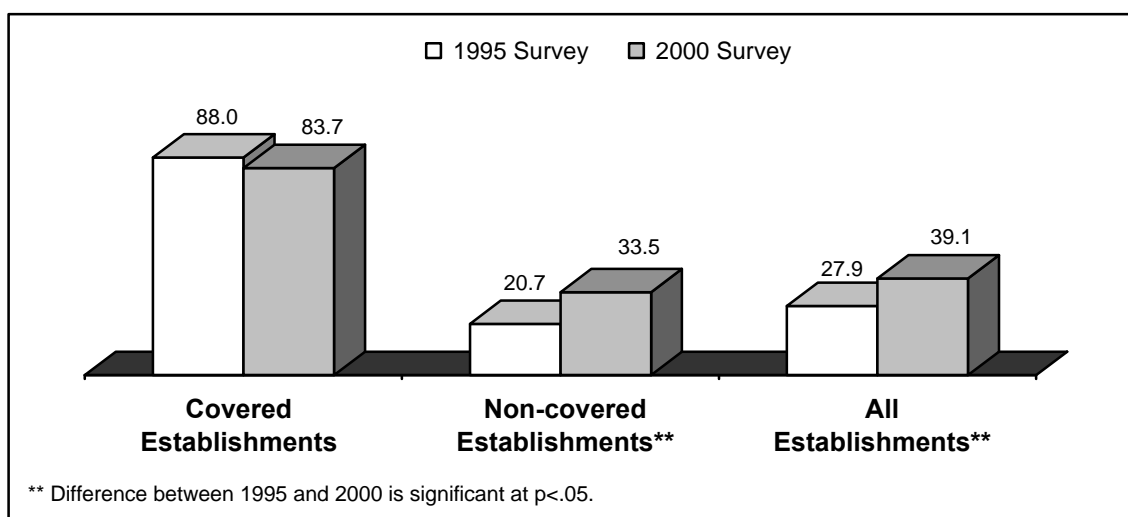


Notably, covered and non-covered establishments differ sharply in reporting that providing unpaid leave depends upon the circumstances (see first and second columns of Table 5.1). Among covered establishments, between 2.5 percent and 7.7 percent responded “depends on circumstances” to providing leave for FMLA reasons. Non-covered establishments were significantly more likely to give this response (between 11.1% and 20.6%). Within the context of the Act, the relative frequency of “depends” responses might reflect respondents’ awareness that employees also have eligibility requirements under the Act (e.g., employees must have worked at least 1,250 hours in the previous year to be eligible for FMLA leave). Employers may view decisions about leave, even FMLA leave, as depending on the circumstances of the individual situation. “Depends” responses may also reflect the tendency for smaller organizations to have informal policies for leave.

Analyses of provision of leave among covered establishments found no significant differences due to establishment size (Appendix Table A2-5.1). Covered establishments with 250 or fewer employees at the worksite did not significantly differ from establishments with more than 250 employees in providing up to 12 weeks of unpaid leave.

The proportion of all establishments reporting policies consistent with the FMLA's leave provisions has increased from 27.9 percent in the 1995 survey to 39.1 percent in the 2000 survey (Appendix Table A2-5.2). This is due primarily to a substantial increase since 1995 among those establishments that are *not* covered by the Act. As Figure 5.2 illustrates, 20.7 percent of non-covered establishments in 1995 reported providing up to 12 weeks of unpaid leave for all FMLA reasons, while in 2000 33.5 percent did so. The proportion of covered establishments providing leave for all reasons did not change significantly during the same period. However, the proportion reporting "depends on circumstances" for selected reasons significantly increased. These reasons include maternity-related leave, care for a newborn, and adoption.

Figure 5.2. Percent of Covered and Non-covered Establishments that Provided Up to 12 Weeks of Unpaid Leave for All FMLA Reasons: 1995 and 2000 Surveys



5.1.2 Policies for Continuation of Health Care Benefits During Leave

In addition to requiring up to 12 weeks of unpaid leave, the FMLA also stipulates that companies should continue an employee's health care benefits during unpaid leave, if the company provides health care benefits.³¹ To assess the availability of this benefit, survey respondents who reported that their establishment provides up to 12 weeks of unpaid leave for a particular FMLA reason (or that it depends on

³¹ The Act uses the phrase "maintain health care benefits," rather than "continue."

circumstances) were asked whether the establishment continues paying for health care benefits while employees are on unpaid leave for that reason.

Among those establishments that provide unpaid leave for a particular FMLA reason, between 78.7 percent and 89.3 percent reported that they do continue to pay for health care benefits for employees on leave for that reason (see last column of Table 5.2). As with providing up to 12 weeks of unpaid leave, a relatively high proportion of all establishments (between 8.6% and 15.7%) said that continuing health care benefits during unpaid leave depends on circumstances.

Table 5.2. Family and Medical Leave Policies by FMLA Coverage Status: Continuation of Health Care Benefits: 2000 Survey

Establishment Continues Health Care Benefits For: ⁽¹⁾	Percent of Covered Establishments	Percent of Non-covered Establishments	Percent of All Establishments
Employee's Own Serious Health Condition			
Yes	87.0%	84.0%	84.5%
No	0.8%	4.4%	3.8%
<i>Depends on circumstances</i>	12.2%	11.6%	11.7%
Mother's Maternity-Related Reasons			
Yes	91.0%	89.0%	89.3%
No	--	2.4%	2.1%
<i>Depends on circumstances</i>	8.4%	8.6%	8.6%
Parents to Care for Newborn**			
Yes	89.4%	78.0%	80.1%
No	1.2%	7.1%	6.0%
<i>Depends on circumstances</i>	9.4%	14.9%	13.9%
Parents for Adoption or Foster Care Placement**			
Yes	89.4%	76.2%	78.7%
No	1.3%	6.6%	5.6%
<i>Depends on circumstances</i>	9.3%	17.2%	15.7%
Care of Child, Spouse, or Parent for Serious Health Condition			
Yes	85.1%	81.7%	82.3%
No	1.4%	4.0%	3.5%
<i>Depends on circumstances</i>	13.5%	14.4%	14.2%

(1) Order of items was changed in the 2000 survey.

** Difference between covered and non-covered establishments is significant at $p < .05$.

-- Indicates less than 10 unweighted cases.

Notes: Column percents may not total to 100% due to rounding.

Includes establishments that provide up to 12 weeks of unpaid leave.

Source: 2000 Survey of Establishments.

Among those establishments that provide up to 12 weeks of unpaid leave for care for a newborn or a new adoption or foster care placement, covered establishments are significantly more likely to continue health care benefits during leave than are non-covered establishments.

The larger covered establishments (i.e., more than 250 employees at the worksite) were significantly more likely than smaller ones to continue health care benefits during leaves for caring for a newborn and for a family member's serious health condition (Appendix Table A2-5.3).

Comparing the 1995 and 2000 surveys, the proportion of establishments that continue health benefits remained relatively constant (Appendix Table A2-5.4). However, this overall pattern masks the differential trends between covered and non-covered establishments. Among covered establishments, the proportion that continue health benefits has significantly decreased for three of the five FMLA reasons, including employee's own serious health condition (95.2% vs. 87.0%), parents to care for a newborn (95.7% vs. 89.4%), and care of a child, spouse or parent (95.2% vs. 85.1%). This downward trend is balanced by more covered establishments reporting that the provision of this benefit depends on the circumstances. In contrast to this downward trend among covered establishments, the proportion of non-covered establishments that continue health benefits did not change significantly, except for the care of a family member, which significantly increased (69.0% vs. 81.7%).

5.1.3 Policies for Guarantee of Job Upon Return From Leave

The final component of the FMLA is that eligible employees who need to take unpaid leave for FMLA reasons are guaranteed the same or an equivalent job with equivalent pay, benefits, and other terms of employment when they return to work. Only respondents who reported providing up to 12 weeks of unpaid leave (either always or depending on circumstances) for a particular reason were asked whether a job guarantee applied to leaves for that reason.

The overwhelming majority of all establishments that provide unpaid leave reported that they guarantee the same or equivalent job upon return from leave across all five

FMLA reasons. For each reason, less than 2 percent of all establishments said they do *not* guarantee job return (see last column of Table 5.3).

Table 5.3. Family and Medical Leave Policies by FMLA Coverage Status: Reasons for Which Job Return is Guaranteed: 2000 Survey

Establishment Guarantees Job For: ⁽¹⁾	Percent of Covered Establishments	Percent of Non-covered Establishments	Percent of All Establishments
Employee's Own Serious Health Condition			
Yes	94.1%	88.5%	89.2%
No	--	1.5%	1.3%
<i>Depends on circumstances</i>	5.5%	10.0%	9.4%
Mother's Maternity-Related Reasons*			
Yes	98.2%	93.2%	93.9%
No	--	1.3%	1.2%
<i>Depends on circumstances</i>	1.6%	5.5%	5.0%
Parents to Care for Newborn			
Yes	96.7%	93.8%	94.2%
No	--	1.9%	1.7%
<i>Depends on circumstances</i>	2.8%	4.3%	4.0%
Parents for Adoption or Foster Care Placement			
Yes	93.8%	89.7%	90.3%
No	--	--	1.3%
<i>Depends on circumstances</i>	5.6%	8.9%	8.4%
Care of Child, Spouse, or Parent for Serious Health Condition			
Yes	93.4%	87.7%	88.5%
No	--	1.4%	1.3%
<i>Depends on circumstances</i>	5.8%	10.9%	10.2%

(1) Order of items was changed in the 2000 survey.

* Difference between covered and non-covered establishments is significant at $p < .10$.

** Difference between covered and non-covered establishments is significant at $p < .05$.

-- Indicates less than 10 unweighted cases.

Notes: Column percents may not total to 100% due to rounding.

Includes establishments that provide up to 12 weeks of unpaid leave.

Source: 2000 Survey of Establishments.

Covered establishments generally do not differ significantly from non-covered establishments in guaranteeing the job upon return to work. The one exception is for mothers' maternity related reasons, where 98.2 percent of the covered establishments reported having the benefit compared to 93.2 percent of non-covered establishments.

Overall, establishments surveyed in 2000 were significantly more likely than those surveyed in 1995 to provide job guarantees for maternity-related reasons and to care for a newborn (Appendix Table A2-5.5). However, as with the other two components of FMLA discussed above, the direction of the changes differs by coverage status. On the one hand, covered establishments changed little across the reasons, except for relatively small but significant decreases for maternity related reasons (99.2% vs. 98.2%) and to care for a newborn (99.2% vs. 96.7%). On the other hand, the proportion of non-covered establishments guaranteeing job return increased significantly for these same two reasons—maternity-related (87.3% vs. 93.2%) and care for a newborn (83.8% vs. 93.8%).

Large and small covered establishments did not differ significantly in guaranteeing the job after leave (Appendix Table A2-5.6). Covered establishments of both sizes (250 employees or less and more than 250 employees) were equally likely to guarantee the job after leave.

5.2 Provision of Additional Benefits Beyond Those Consistent with FMLA

In addition to the benefits required by FMLA, the 2000 Survey of Establishments collected information about other kinds of benefits and leave policies, which included:

- Expanded leave (i.e., beyond that required by FMLA);
- Continuation of pay during leave;
- Continuation of other benefits during leave; and
- Other work-life benefits (e.g., childcare assistance, flexible work scheduling).

This section discusses findings related to these kinds of benefits.

5.2.1 Policies for Expanded Leave

To explore leave that companies provide beyond that specified in the Act, survey respondents were asked about three kinds of expanded leave: for longer than 12 weeks; for employees who are not eligible for FMLA leave (i.e., new employees, part time employees); and for reasons not currently covered by the Act.

As Table 5.4 shows, 21.4 percent of all establishments provide unpaid leave for more than 12 weeks per year; 28.1 percent provide unpaid leave to new employees; and 26.8 percent provide unpaid leave to part time employees. This pattern does not differ by FMLA coverage status. As with other kinds of leave, many respondents said that their establishments provide these leaves depending on the individual circumstances. Covered establishments of different sizes also do not differ significantly on whether they provide these types of expanded leave (Appendix Table A2-5.7).

Table 5.4. Provision of Leave Beyond that Guaranteed by FMLA by Coverage Status: 2000 Survey

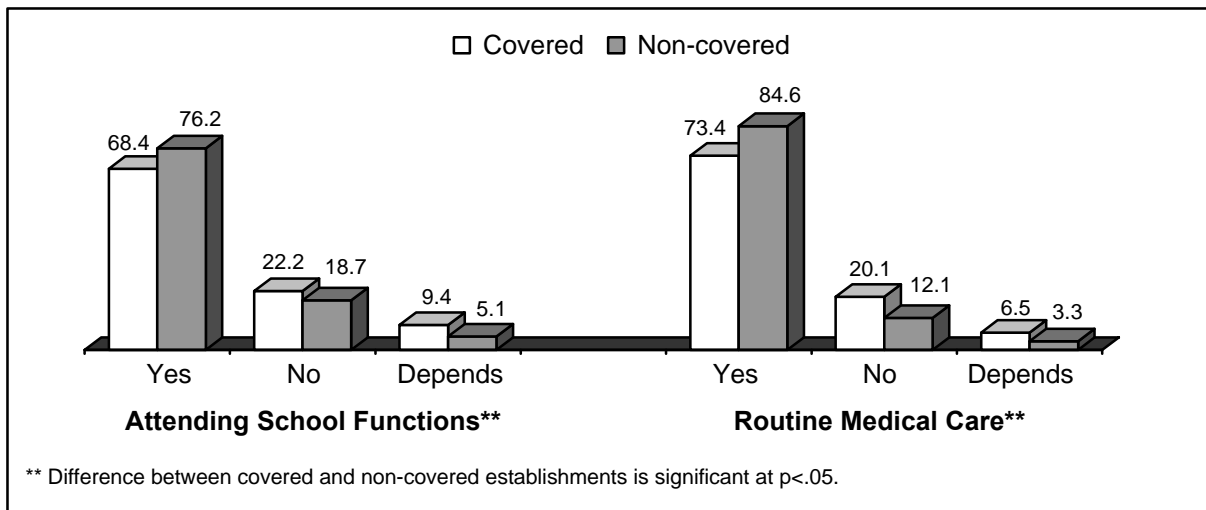
	Percent of Covered Establishments	Percent of Non-covered Establishments	Percent of All Establishments
More Than 12 Weeks Per Year			
Yes	22.9%	21.1%	21.4%
No	49.6%	52.7%	52.3%
<i>Depends on circumstances</i>	27.5%	26.1%	26.3%
Employees Who Have Worked for Establishment Less Than 12 Months			
Yes	28.7%	28.0%	28.1%
No	43.6%	45.0%	44.8%
<i>Depends on circumstances</i>	27.7%	27.0%	27.1%
Employees Who Have Worked for Less Than 1,250 Hours in the Past Year			
Yes	27.0%	26.8%	26.8%
No	45.9%	44.9%	45.0%
<i>Depends on circumstances</i>	27.0%	28.3%	28.2%

Note: Column percents may not total to 100% due to rounding.

Source: 2000 Survey of Establishments.

Respondents were asked whether their establishments provide leave to attend school functions or to get routine medical care for the employee or the employee's family members. A large majority of all establishments reported that they permit their employees to take leave for these reasons. Figure 5.3 compares covered and non-covered establishment policies to allow additional leave for attending school meetings and activities and for routine medical appointments. Significantly fewer covered establishments, compared to non-covered establishments, allowed additional leave for either attending school-related functions or routine medical appointments. Full results are displayed in Appendix Table A2-5.8.

Figure 5.3. Comparison of Covered and Non-covered Establishment Policies for Leave Not Covered by FMLA: 2000 Survey



Comparing covered establishments by size (Appendix Table A2-5.9), larger establishments are more likely than smaller ones to report that allowing leave for attending school meetings or activities depends on the circumstances (18.4% vs. 8.9%).

A majority of respondents in the employee survey also reported that their employers allow leave for school activities, routine family medical care, and elder care (Appendix Table A2-5.10).

5.2.2 Policies for Continuation of Pay During Leave

While the FMLA requires only unpaid leave, the Act also provides for substitution of paid leave for unpaid leave, and many companies provide employees with paid

leave for various circumstances. To assess the current availability of pay for leave among businesses, the establishment survey included two items about paid leave:

- Paid leave such as sick or disability leave, paid vacation, or other paid time off; and
- Full or partial pay during leave for the five FMLA reasons.

These results are discussed below.

Paid Leave for Sickness, Disability, and Vacation

Among those types of paid leave asked about in the survey, paid vacation is the most commonly provided by all establishments (81.7%), followed by paid sick leave (63.9%) and paid disability leave (42.0%). Far fewer establishments reported that they provide any other type of paid time off (21.2%). As Table 5.5 displays, covered establishments are more likely than non-covered ones to offer paid vacation, paid disability, and other paid time off. Covered establishments, however, are not any more likely than non-covered establishments to provide paid sick leave.

Table 5.5. Continuation of Pay During Leave by FMLA Coverage Status: 2000 Survey

Establishment Provides:	Percent of Covered Establishments	Percent of Non-covered Establishments	Percent of All Establishments
Paid Sick Leave			
Yes	74.3%	62.7%	63.9%
No	17.9%	26.7%	25.7%
<i>Depends on circumstances</i>	7.9%	10.7%	10.3%
Paid Disability Leave**			
Yes	62.7%	39.4%	42.0%
No	24.6%	48.3%	45.7%
<i>Depends on circumstances</i>	12.7%	12.3%	12.3%
Paid Vacation**			
Yes	94.7%	80.1%	81.7%
No	0.9%	13.1%	11.8%
<i>Depends on circumstances</i>	4.4%	6.8%	6.5%
Other Paid Time Off**			
Yes	43.3%	18.5%	21.2%
No	54.8%	78.4%	75.8%
<i>Depends on circumstances</i>	1.9%	3.1%	2.9%

** Difference between covered and non-covered establishments is significant at $p < .05$.

Note: Column percents may not total to 100% due to rounding.

Source: 2000 Survey of Establishments.

Covered establishments of different sizes differ significantly in providing paid disability (Appendix Table A2-5.13). Approximately 80 percent of larger establishments provide paid disability leave, compared to only 61.7 percent of smaller establishments.

Continuation of Pay During Leave For FMLA Reasons

Respondents were asked whether pay is continued during leave taken for the five FMLA reasons (Table 5.6). Among all establishments, 38.6 percent reported continuing pay for the employee's own serious health condition, 34.4 percent for maternity-related reasons, 26.5 percent for care of a family member's illness, 24.0 percent for care for a newborn, and 19.8 percent for adoption or foster care placement.

Covered establishments are less likely than non-covered ones to continue providing full pay during leaves for an employee's own serious health condition, maternity-related reasons, and for employees to care for a family member with a serious health condition (see first and second columns of Table 5.6).

Size is not significantly related to whether covered establishments continue pay during leave for the FMLA reasons. These results are displayed in Appendix Table A2-5.14.

Roughly one fifth of establishments continue pay depending on the individual circumstances, for all reasons except mothers' maternity-related reasons. This does not vary by FMLA coverage status or establishment size.

Table 5.6. Continuation of Pay During Leave by FMLA Coverage Status: Reasons for Which Pay is Continued: 2000 Survey

Establishment Continues Pay During Leave For:	Percent of Covered Establishments	Percent of Non-covered Establishments	Percent of All Establishments
Parents to Care for Newborn			
<i>Full pay</i>	17.3%	24.9%	24.0%
<i>Partial pay</i>	6.0%	7.2%	7.0%
<i>Depends on circumstances</i>	22.7%	17.6%	18.2%
<i>No Pay</i>	54.1%	50.4%	50.8%
Parents for Adoption or Foster Care Placement			
<i>Full pay</i>	16.5%	20.1%	19.8%
<i>Partial pay</i>	2.7%	3.5%	3.5%
<i>Depends on circumstances</i>	20.5%	19.8%	19.9%
<i>No Pay</i>	60.3%	56.5%	56.9%
Employee's Own Serious Health Condition*			
<i>Full pay</i>	32.9%	39.3%	38.6%
<i>Partial pay</i>	17.0%	6.5%	7.6%
<i>Depends on circumstances</i>	20.3%	19.8%	19.8%
<i>No Pay</i>	29.8%	34.5%	33.9%
Mother's Maternity-Related Reasons*			
<i>Full pay</i>	30.7%	34.9%	34.4%
<i>Partial pay</i>	18.1%	6.3%	7.6%
<i>Depends on circumstances</i>	16.3%	15.2%	15.4%
<i>No Pay</i>	35.0%	43.6%	42.7%
Care of Child, Spouse, or Parent for Serious Health Condition*			
<i>Full pay</i>	15.9%	27.8%	26.5%
<i>Partial pay</i>	3.6%	5.5%	5.3%
<i>Depends on circumstances</i>	21.1%	23.2%	23.0%
<i>No Pay</i>	59.4%	43.5%	45.3%

* Difference between covered and non-covered establishments is significant at $p < .10$.

Note: Column percents may not total to 100% due to rounding.

Source: 2000 Survey of Establishments.

5.2.3 Policies for Continuation of Other Benefits During Leave

The survey included questions about continuation of other benefits during leave, including contributions to pensions or retirement plans and contributions to life or disability insurance (Appendix Table A2-5.15). Slightly less than half of all establishments continue contributing to pensions or retirement plans during employee leave (45.3%), but nearly two-thirds of all establishments continue contributions to life or disability insurance. Covered establishments are significantly more likely to continue these contributions than non-covered establishments. For pensions and retirement plans, 59.1 percent of covered establishments reported continuing contributions compared to 43.2 percent of non-covered establishments. Similarly, for life and disability insurance, 82.4 percent of covered establishments reported making contributions compared to 59.8 percent of non-covered establishments.

Almost identical proportions of larger and smaller covered establishments reported that they continue these contributions (Appendix Table A2-5.16).

Between 1995 and 2000, the proportion of covered establishments that continue contributions to life and disability insurance decreased from 91.3 percent to 82.4 percent (Appendix Table A2-5.17). Over the same period, the proportion of non-covered establishments that do *not* continue contributions to pensions or retirement plans decreased from 59.0 percent to 46.2 percent. As seen with other kinds of benefits, the proportion of establishments that continue contributions depending on the circumstances increased significantly between 1995 and 2000 among both covered and non-covered establishments.

5.2.4 Policies for Additional Work-Life Benefits

To gain a better understanding of the breadth of employee benefits being provided by establishments in 2000, survey respondents were asked about a range of other work-life benefits (Appendix Table A2-5.18). These included child care assistance (e.g., day care, dependent care spending accounts), elder care assistance, flexible work schedules, employee assistance programs, adoption assistance, and workplace provisions for lactation. Approximately 70 percent of all establishments provide flexible work schedules. Roughly one in five establishments provide child-care assistance (17.2%), an employee assistance program (18.2%), or workplace

provisions for lactation (22.7%). Only about 4 percent of all establishments provide adoption or elder-care assistance. Very few establishments reported that providing these benefits depends on the circumstances.

Significantly more covered establishments provide these work-life benefits, relative to non-covered establishments. The exception is flexible work schedules; covered and non-covered establishments do not differ significantly in providing this benefit.

Larger covered establishments are more likely to provide an employee assistance program, while smaller covered establishments are more likely to offer flexible work schedules (see Appendix Table A2-5.19). Large and small establishments do not significantly differ in assistance for child care, elder care, and adoption, or workplace provisions for lactation.

Respondents in the 2000 Survey of Employees were also asked whether their employers provide additional work-life benefits (Appendix Table A2-5.20). Most frequently mentioned were flexible work schedules (44.7%), employee assistance programs (43.4%), and paid parental leave (29.0%).

5.3 Summary

This chapter described the benefits provided by U.S. establishments. The first section of the chapter concentrated on benefits consistent with the FMLA, which include providing up to 12 weeks of unpaid leave, continuing health care benefits during leave, and guaranteeing the job upon return from leave. It is estimated that about one third of U.S. companies provide up to 12 weeks of unpaid leave across the different FMLA reasons. However, policies for family and medical leave differ greatly between businesses covered by the FMLA and their non-covered counterparts. As would be expected, a relatively high proportion of covered establishments reported providing unpaid leave, as well as the two other components of the FMLA (i.e., continuation of health benefits during leave, guaranteed job upon return from leave). Establishments that are not covered by the Act were much less likely to report having these leave policies.

Between 1995 and 2000, the proportion of companies providing these benefits reflects a net upward trend, but this overall trend conceals substantial differences between covered and non-covered establishments. Compared to those surveyed in 1995, slightly fewer covered establishments surveyed in 2000 reported having these policies for selected FMLA reasons. In contrast, the proportion of non-covered companies having FMLA-consistent policies increased substantially.

The second part of the chapter described other non-FMLA leave policies of U.S. companies. The extent to which these are offered to employees varies by the particular policy. For example, only about 21 percent of establishments offer more than 12 weeks of unpaid leave, but nearly 82 percent of establishments provide paid vacation leave.

Covered and non-covered establishments differ in providing these other benefits. On the one hand, non-covered establishments are more likely than their covered counterparts to offer leave for school meetings and routine medical visits, and to continue pay for certain FMLA reasons. On the other hand, covered establishments are more likely to offer other types of paid leave (e.g., sick leave), continue other benefits during leave (e.g., disability insurance payments) and provide other work-life benefits (e.g., employee assistance programs, child care assistance).