

For Immediate Release
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Contact: media@protectfamilyleave.org
202-572-6205

NATIONAL COALITION TO PROTECT FAMILY LEAVE SAYS SURVEY SHOWS SUPPORT FOR FMLA REGULATORY CHANGES

(Washington, DC – April 10, 2008) The Family and Medical Leave Act has been a vital piece of legislation for millions of Americans, but 15 years of experience with the law suggests several areas where the Act should be strengthened, modernized and clarified, said the National Coalition to Protect Family Leave in a statement today at a hearing of the Workforce Protections Subcommittee of the House Education and Labor Committee.

A recent poll conducted on behalf of the Coalition indicated that American voters strongly support efforts to modify the FMLA. The poll, directed by Kellyanne Conway, President and CEO of the polling companyTM, inc., represents the results of a nationwide telephone survey of 1,000 registered voters from February 7-12, 2008 and has a margin of error $\pm 3.1\%$.

Among the survey's key findings:

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

"This survey reveals that Americans strongly support the FMLA, but they also believe that after 15 years it's time to take a step back and make some reasonable modifications to the law," Coalition Representative Lisa Horn said.

On February 11, 2008, the Department of Labor published a proposed rule to address several sections of the FMLA that are causing confusion in the workplace. The proposed modifications include changes to the medical certification process so that "vague, ambiguous and non-responsive" answers may be clarified and the adoption of practical requirements for employees to provide notice of FMLA leave to their employers.

The Coalition's survey results indicate strong levels of support for many of the concepts embodied in the proposed rule changes, including:

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

“We support efforts by the Labor Department to preserve and strengthen the FMLA’s protections,” said Horn. “The new rules are a common sense first step towards restoring the balance between the interests of employers and employees that Congress intended when the FMLA was enacted 15 years ago.”

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