

Conversations with the Experts

State Legislation for Working Families



Mary Stuart Gile

Bio: Representative Mary Stuart Gile is a seventh term state representative from Merrimack District 10 and over twelve years has served on both the Executive Departments and Administration (ED&A) and Children and Family Law Committees. Rep. Gile was appointed chair of Children and Family Law for the 2007-2008 and 2009-2010 Legislative sessions. She is also chair of the Legislative Task Force on Work and Family and is a cofounder and current chair of the Legislative Caucus for Young Children. Rep. Gile has sponsored and cosponsored many bills related to child protection, early learning, family support, health and is the prime sponsor of the statute creating the professional credential and career lattice system for teachers in early care and education. She is also leading the way in sponsoring legislation on paid family

leave.

In addition to legislative responsibilities, Rep. Gile is a consultant in early childhood and educational services. Past projects have included the NH Technical Institute and Community College (NHTI) Child and Family Development Center, and the University of New Hampshire's Granite State College Quality Assurance Project. Rep. Gile was a founder of The Children's Place and Parent Resource Center, and the Concord Children's Initiative, Inc. She has served on numerous boards, including Child and Family Services of NH, Crotched Mountain Foundation, Frontiers of Knowledge, NH Association of Mental Health, NH Child Care Advisory Committee, United Way of Merrimack County, and Greater Concord Chamber of Commerce Business and Education Partnership. She has been honored with leadership appointments by NH Governors and is the recipient of several distinguished leadership awards from the Visiting Nurses Association, the Division of Children Youth and Families, the NH State Department of Education, Providian, and United Way of Merrimack County. The Dr. Mary Stuart Gile Award is presented annually by the Bureau of Child Development, DHHS, to an individual or group who have promoted excellence in early learning through contributions to the professional development of future leaders.

Rep. Gile graduated from McGill University (B.Sc., P.Ed.), received a M.Ed in Elementary Education from the University of New Hampshire and earned a doctorate of education from George Peabody College of Vanderbilt University, Nashville, Tenn. She is married to Robert H. Gile, Dartmouth '56, USN-R. They have four adult children and two grandchildren.

An Interview with Mary Stuart Gile

by Julie Schwartz Weber and Karen Corday

Weber: How and when did you begin working as an advocate for working families?

Gile: My primary profession has been as an early childhood specialist. During the 1970's, I was a part of the feminist movement. It promoted professional and personal development for women, which I thought was great. As I became more involved, I saw that the care of children seemed to be of secondary importance. As a service, child care was practically non-existent; women looking to work for any number of reasons used what we now refer to as "kith and kin," care or they found someone who offered child care in their homes. Center care was just beginning, but was not well-regulated. I began to see the importance of family support issues related to working parents. Another important influence from my earlier experience was that I have had two families; I was married and living in Quebec in the late 1950's, and had two children, a son in 1959 and a daughter in 1962. I moved to New Hampshire, divorced, remarried and gave birth to my youngest son in 1976. Because I came from Quebec, I stayed informed on issues of maternity and parental leave. I assumed I would be entitled to the same benefits in New Hampshire when I had my third child. It soon became apparent that I was not!

Weber: What kind of work-family conflict did you experience first-hand?

Gile: When I had my third child in November, 1976 I had been working for the state of New Hampshire for 8 years. Having been a divorced mom with two children and no support, I was unwilling to give up my job on a full-time basis. I thought I could negotiate a part-time schedule with pro-rated benefits, and the state would allow me to stay. The state provided a very generous leave from November to March 1st; I had accrued lots of sick leave over the 8 years and hadn't used any of it, so they let me use it as maternity leave. When I returned to work, presumably to work a part-time schedule with pro-rated benefits, I was informed at the end of my first week that personnel was unable to deal with my request because there were no systems in place. If I chose to work part-time, I would not be eligible for benefits. I had to decide over a weekend whether I would come back full-time on Monday, reduce my schedule and not have benefits, or resign. I didn't want to resign; I was concerned about the potential problems of finding another job when I was ready to return to work. I met with my supervisor, who was a wonderful man and told him that I was unhappy with the child care options available to me. I pointed out that we had a nice, big office and what if...He agreed to let me have a corner of the office to equip for my baby. My husband had a much more flexible schedule than I did, so we all figured out a child care schedule together.

There were two provisions relative to having my baby in the office: 1) if the office protocol had a negative impact on the baby's development, we'd renegotiate; and 2), if the infant's development had a negative impact on the office, we'd also renegotiate. I was very lucky; it worked well, and my youngest child basically grew up in the State Department of Education. It was a wonderful time for him and for me. However, I quickly noticed that I was able to negotiate this request because I was a professional consultant. Other employees, especially those in administrative support, did not have the same opportunities. I felt that everyone should have access to such privileges. I began working on activities to bring about family-friendly state policies. There has been some progress since then, but not enough.

Corday: How has the work-family legislative landscape changed in New Hampshire from when you first began your legislative career versus today?

Gile: If I'm looking at the situation in terms of a continuum 1:10 it's gone from 0 to between 4 and 5. It has progressed within certain constituent groups such as the New Hampshire Commission on the Status of Women and the New Hampshire Women's Lobby. There has been recognition of the need for women to work and because of this, recognition of the need for family-friendly employment policies and legislation. We have improved the quality of child care. We have a champion within our legislature, Representative Mary Jane Wallner, who directs a system of child care services, and is our current Majority Leader. TANF [Temporary Assistance for Needy Families] legislation introduced a few years ago required parents who are receiving state subsidies to prepare to enter the workforce. We needed to address the child care issue. Further when I was first elected, I introduced a voluntary credentialing and professional system for NH child care workers. This helped promote a better quality of care. Finally, after many years of frustration, New Hampshire now has legislation that allows part-time workers who are laid off to collect unemployment compensation. This initiative was introduced the first year I was elected, 1997, and didn't pass until 2008. Its passage is primarily due to the incredible work of our Commissioner of Employment Security. He analyzed the constituencies that needed part-time work and impressed upon the legislature that businesses were already paying for unemployment benefits for these workers, and the workers should therefore be entitled to it.

Weber: Have you sensed a change in the work-family needs of your constituents over time?

Gile: We have many more two-parent working families. There are more choices available. In the past there was a tension between families where mothers stayed at home versus those who went to work outside the home. There is more acceptance of people's choices to work in or outside of the home. We also have our share of fathers who are staying home to care for pre-school aged children. I don't know if the parents in my particular district, and New Hampshire parents in general, are aware of opportunities for work-family policies that exist in other places. However, the Task Force on Work and Family did three regional forums, and we did get some feedback from people who expressed concern with the lack of progress in terms of work-family legislation when compared to New Jersey, California, Canada, and England.

We have a long way to go. Right now the economy is having an effect on our families, People are losing jobs We'll see what happens.

Corday: How is New Hampshire similar to or different from other states regarding its focus on work-family policy?

Gile: New Hampshire is generally a conservative state. Even though Democrats have been in the majority for

three years now, it's still quite politically conservative. We have a population of about 1.3 million, much of which is concentrated in the lower third of our state; most of New Hampshire is rural. We are 6th in the nation in graying rates; we are losing many of our young professionals between the ages of 25 and 40 and we are importing people over 40, thanks to our lack of sales or income tax. New Hampshire's legislative structure is unusual; the Senate consists of 24 members, while the House has 400 Representatives, making us the third largest English-speaking body in the world. We have one representative for every 3,072 constituents! Other states have smaller legislatures and therefore can enact legislation more quickly. Ours is also a volunteer legislature; Senators and Representatives make \$100 a year, plus travel expenses. You are dealing with a great variety of people with different awareness levels of families. Several reps still think of families' needs from the 40's, 50s and 60s; the average age of the legislature is in the early 60's.

It is very stirring and rewarding to see how this citizen legislature will work together on issues. Of course, the priorities do not always concern themselves with families. The best thing that happened for working families in New Hampshire was the appointment of the Commissioner of Employment Security, Richard Brothers. He had a great sense of the needs and concerns of families, and was willing to express and act on behalf of these concerns. Unfortunately, he is not being reappointed.

Weber: Will you please discuss the origin and goals of the New Hampshire Legislative Task Force on Work and Family?

Gile: It was enacted as part of the chapter laws of 2007. The concept of the Task Force evolved in the summer of 2006. A group of legislators and citizens met to discuss work and family issues and the possibility of introducing legislation related to paid sick days or paid family leave. We decided that we needed to broaden our constituent base, gather information about needs, and educate. The Task Force emerged as the vehicle to accomplish these goals. It's premised on the belief that the government has a stake in protecting New Hampshire's economic advantage as well as to ensure that families are able to successfully raise their children while working. As we looked at some of the issues, we decided to identify the barriers that keep workers from achieving economic security.

We proposed 26 members for the Task Force; there were questions at first as to how all those people could work together, but when we came together, there was a wonderful synergy. We were required to meet 4 times a year, but we met monthly. Our purpose was to identify the groups with an interest in resolving specific family issues, collect data on work and family, including employer policies and practices that enabled work-family balance, research incentives that the state could initiate to encourage family-friendly policies as well as statutes that could be changed to promote more flexibility in the workplace, and to educate people on work and family.

Corday: What is the Work and Family Economic Sustainability Initiative and how does it affect working families?

Gile: This initiative includes three bills that were submitted this year. House Bill 661 creates a self-paid family leave insurance program. House Bill 662 asks employers to provide up to 5 paid sick days to their employees, and House Bill 663 requires employers to develop a process to allow workers the right to request flexible schedules.

If passed, the effect on working families will be very positive. We knew we couldn't get state funding for family leave, so we proposed a self-pay program. Our concern about the need for paid sick days came from looking at the service industry; many workers in this industry work part-time and must report to work even if they are sick. Taking time off because of illness usually means unpaid time, and many workers are not in a position to lose any wages. At this time, the bills have been retained.

Weber: Will you please share your thoughts on the First Annual New Hampshire Summit on Work and Family, and, more specifically, how it influenced your legislative work?

Gile: When the Task Force was assembled, we agreed to have a summit after our year of gathering information. This allowed us to share what we had learned and fulfill one of our duties, which was to educate. We also wanted to gather information from participants. We had about 250 people at the conference, including advocates for working families, people from business and industry associations, human resource professionals, child care workers, and people from various non-profits. We divided into 6 groups and collected ideas from the groups, which were very interesting and helpful. We unofficially discussed the results at a Task Force meeting, and members reported hearing many references to paid family leave, paid sick days, flexible work schedules, quality child care, and elder care—all of the items we tried to incorporate into the Work and Family Economic Sustainability Initiative. It was a great day, and we hope to do it again.

Corday: What do you see as the top three hurdles to passing the bills that make up the Initiative?

Gile: The family leave insurance bill was assigned to House Commerce committee, and the two other bills went to the Labor committee. They were all retained at my request, which means the committees are holding them until November 1st.

There is information coming out of Washington that may be positive in terms of national work-family legislation. For example, we have heard that the Reed Act, which provides funding to the Department of Employment Security and currently has very specific guidelines as to how the money can be used, is under reauthorization. The organizations in Washington that work on work-family policies are hoping that one of the outcomes will be more flexibility in the use of the money. We're hoping funds might become available to New Hampshire to plan, develop, and market our family leave insurance plan. We have also read that one of President Obama's interests is allowing states to develop their own paid family leave systems, and that he has set aside 1.5 billion dollars to be distributed to the states for this purpose. We hope these actually happen.

Bill 662 is retained to see if the Health Families Act is passed, which would require certain employers to provide 7 sick days per year to each employee. If that bill passes, we have developed a process to implement that law in New Hampshire.

Bill 663 is retained because of a national bill proposed by New York Congresswoman Carolyn Maloney, the Working Families' Flexibility Act. This would establish a process for employees to request flexible work schedules.

Weber: What other work-family legislative matters interest you and your constituents?

Gile: At this point we are, like other states, struggling to come up with a budget to fund essential services. I am committed to trying to find a way to enact extended paid parental leave. If the Work and Family Economic Sustainability Initiative bills don't pass, I can't introduce the same bills next year, but I can introduce a variation on the same theme. I feel very strongly that we should provide more time for families in the early stages of their children's lives. I'm also supportive of any community-based family centers. Many parents of very young children do elect to work a reduced schedule, and it helps them if there's some sort of community-based center to provide support and networking opportunities.

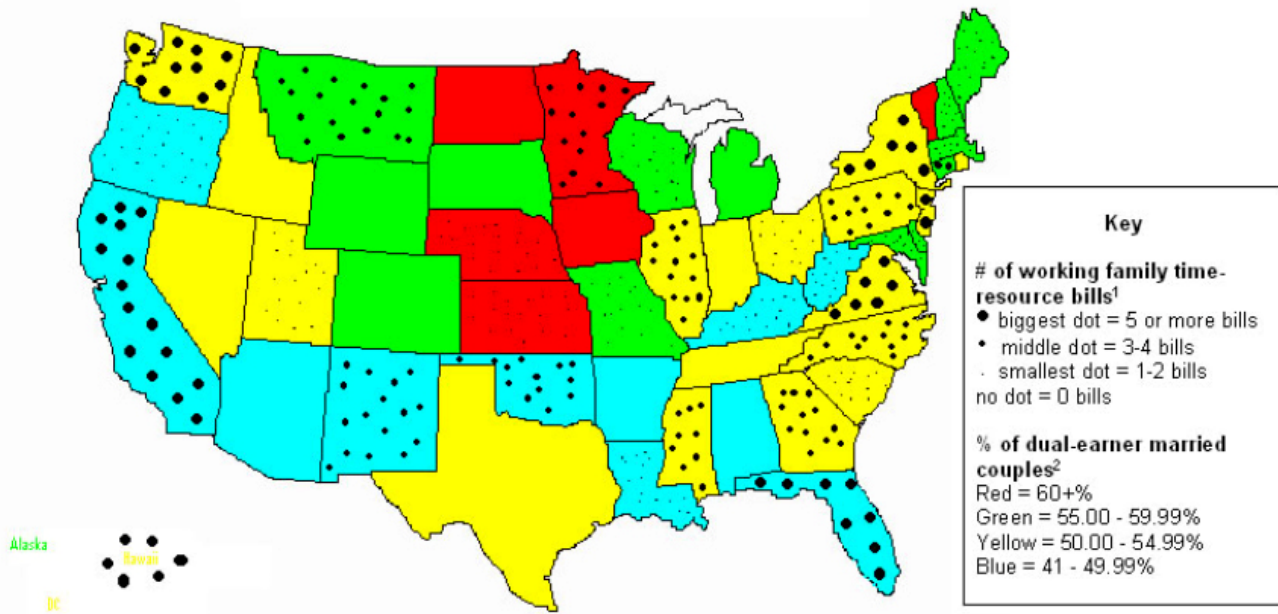
When we were talking to businesses, we learned that some New Hampshire companies have work-based consultants for working families. This is a person especially charged with helping working families, counseling them, and assisting them with needs like child and elder care. The State or the Task Force should be able to recognize and provide incentives for businesses who implement these kinds of family-friendly workplace policies.

Weber: How has the economic crisis affected possible work-family legislation?

Gile: I am very concerned about that. I was recently talking to a visiting official from Estonia, and learned that there is also an economic crisis going on in that country. Yet they have just created a family security act that allows working families up to 18 months of family leave to care for a new baby. Canada and many European countries have similar policies and even in the worst of times such policies are the last to go. The United States is no better off for not having these kinds of policies! We must address the short term budget realities but we also need to develop long term policies that will secure our children's futures and the economic sustainability of our working families.

Percentage of Dual-Earner Families in Each State With Number of Working Family Time-Resource Bills Introduced

% of Dual-Earner Families in Each State (2004) with the # of Working Family Time-Resource Bills* Introduced (2005-2006)



* **Working Family Time-Resource Bills**- Proposed legislation that addresses the time resources and time mismatches experienced by working families, specifically including flexible scheduling, part-time work, remote work or telework, family leave, and phased retirement.

Source(s): ¹Lexis Nexis State Capitol and Westlaw databases. ²United States Census Bureau (<http://www.census.gov/>), 2004.

Source: Sloan Work and Family Research Network. (n.d.). Percentage of dual-earner families in each state with number of working family time-resource bills introduced. Retrieved from <http://wfnetwork.bc.edu/downloads/mapdual-earner.pdf>

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