



## Questions and Answers about the FAMILY AND MEDICAL LEAVE ACT: A Sloan Work and Family Research Network Fact Sheet

### Introduction

The Sloan Work and Family Research Network has prepared Fact Sheets which provide statistical answers to some important questions about work-family and work/life issues. This Fact Sheet includes statistics about the Family and Medical Leave Act.



#### Who is eligible for the benefits of the FMLA?

- ✔ **Fact 1** “From the employee survey it is estimated that between 83 million and 94 million employees in the U.S. work in covered establishments and have met the eligibility criteria of the FMLA. An estimated 18.5 to 24.4 million work for covered establishments but are not eligible to take FMLA leave. Further, an estimated 30 to 37 million are not covered” (Cantor, Waldfogel, Kerwin, Wright, Levin, Rauch, Hagerty, & Kudela, 2001, p. 3–4).
- ✔ **Fact 2** “Among hourly workers, union employees are more likely to be covered and eligible for the FMLA—by 25%, on average” (Budd & Brey, 2003, p. 95).
- ✔ **Fact 3** “Two-thirds (66.7%) of the men with young children and somewhat more than half (56.3%) of the women meet the eligibility requirements under the FMLA” (Waldfogel, 2001, p. 21).



#### Do employees know about their rights under the FMLA?

- ✔ **Fact 1** “...more than two years after Congress passed the FMLA, only 63% of salaried and 50% of hourly employees reported ever having heard of the law” (Budd & Brey, 2003, p. 92).
- ✔ **Fact 2** “...overall levels of awareness among (FMLA) covered employees are high. Ninety percent of women and almost three-quarters of men are aware of their right to family leave” (Baird & Reynolds, 2004, p. 343).
- ✔ **Fact 3** “...only 35–40% of hourly employees who had heard of the FMLA also responded that they thought they were eligible to use it” (Budd & Brey, 2003, p. 97).
- ✔ **Fact 4** “Twenty-five respondents (respondents in this study were human resource directors at colleges and universities) (almost 50 percent) indicated either 100 percent or all of their faculty/staff possessed an awareness of the (Family and Medical Leave) act” (Campion & Dill, 2000, p. 149).



### Are employees accessing the benefits of the FMLA?

- ✔ **Fact 1** "...approximately 18.3 percent of covered and eligible leave-takers took leave under the Act since January 1, 1999" (Cantor, Waldfogel, Kerwin, Wright, Levin, Rauch, Hagerty, & Kudela, 2001, p. 3-13).
- ✔ **Fact 2** "Of those who needed leaves but did not take them, the majority (64%) said they did not take a leave because they could not afford one; about half of those who did take leaves said they returned to work because they could not afford the extra needed time off" (Gerstel & McGonagle, 1999, p. 523-524).



### What are the benefits of using the FMLA?

- ✔ **Fact 1** "A large majority of leave takers said that taking leave had positive effects on their ability to care for family members (78.7%), their own or family members' emotional well-being (70.1%), and their own or family members' physical health (63.0%)" (Waldfogel, 2001, p. 20).
- ✔ **Fact 2** "Among those who cited positive effects on health, a large majority said that taking leave made it easier for them to comply with doctors' instructions (93.5%) and led to a quicker recovery period (83.7%)" (Waldfogel, 2001, p. 20).
- ✔ **Fact 3** "Whereas the majority of leaves are to care for oneself (64%), slightly more than one third (36%) are taken to care for other people—most often children (22%, including 14% for births and adoptions and 8% for a child's illness) but also parents (7%), spouses (3%), or some other relative (4%)" (Gerstel & McGonagle, 1999, p. 522).



### What types of employers offer family and medical leave (as defined in the FMLA)?

- ✔ **Fact 1** According to the 1998 Business Work Life Study: "A large number of the 37 percent of companies in this sample with an average of fewer than 50 employees per site are undoubtedly complying with the law (Family and Medical Leave Act), even though they may not be required to" (Galinsky & Bond, 1998, p. iii).
- ✔ **Fact 2** "In 2000, a large majority of the private establishments in the U.S. are not covered under the FMLA (89.2%)" (Cantor, Waldfogel, Kerwin, Wright, Levin, Rauch, Hagerty, & Kudela, 2001, p. 3-2).



### What impact does the Family and Medical Leave Act have on employees and employers?

- ✔ **Fact 1** According to the 1998 Business Work Life Study: "...42 percent (of companies) perceive a positive return on investments in (leave) programs" (Galinsky & Bond, 1998, p. iv).



✔ **Fact 2** "...43.1 percent, or 22, (human resource directors at colleges and universities) indicated they anticipate a greater impact in the future from the FMLA, and 52.9 percent, or 27, indicated they do not" (Campion & Dill, 2000, p. 151).

✔ **Fact 3** "The share of covered establishments reporting that it was somewhat or very easy to comply with the administrative requirements of the FMLA declined from 85.1% in 1995 to 63.6% in 2000" (Waldfogel, 2001, p. 19).

The Network has additional resources related to this topic.

1. Visit a topic page on the Family and Medical Leave Act at: <http://wfnetwork.bc.edu/topic.php?id=7>  
Topic pages provide resources/information including statistics, definitions, overviews & briefs, bills & statutes, interviews, teaching resources, audio/video, suggested readings and links.
2. Visit our database of academic literature with citations and annotations of literature related to the issue of the Family and Medical Leave Act. You can connect to this database at:  
[http://library.bc.edu/F?func=find-b-0&local\\_base=BCL\\_WF](http://library.bc.edu/F?func=find-b-0&local_base=BCL_WF)



## References

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Baird, C.L., & Reynolds, J.R. (2004). Employee awareness of family leave benefits: The effects of family, work, and gender. *The Sociological Quarterly, 45*(2), 325–353.

"The analyses use data from the young women's and young men's cohorts of the (1996) National Longitudinal Survey of Youth (NLSY), a nationally representative sample...The sample is limited to employees who should be covered under the FMLA according to Public Law 103-03 (1993)...The final sample consists of 1,333 women and 1,441 men for a total sample size of 2,774" (pp. 333–334).

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Budd, J.W., & Brey, A.M. (2003). Unions and family leave: Early experience under the Family and Medical Leave Act. *Labor Studies Journal, 28*(3), 85–105.

"The congressionally-enacted Commission on Leave sponsored a 1995 survey of employees as part of the basis for its first report on the FMLA (Commission on Leave 1996). In summer 1995, approximately two years after the FMLA went into effect, the University of Michigan Survey Research Center conducted a random telephone survey of households. Respondents were restricted to United States residents who were at least eighteen years of age and who worked for pay at some point between January 1, 1994, and the time of the survey...The survey gathered responses from 2,253 individuals who were asked basic demographic questions on age, sex, race, marital status, number of children, and education. Queries about their employment included union status, whether they were salaried or hourly, number of employees at their work site, and number of hours they worked per week...On a cautionary note, the survey contains very little information on job and employer characteristics" (pp. 88–89).

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Campion, W.J., & Dill, J.C. (2000). An investigation of the impact on higher education of the Family and Medical Leave Act of 1993. *Public Personnel Management, 29*(1), 147–156.



"This project surveyed human resource directors at selected two-year and four-year higher education institutions in Texas, Oklahoma, Arkansas, and Louisiana to see what effect the FMLA produced in it's first four years...Over 50 institutions participated in the project. Approximately 42 percent of those surveyed were community colleges, and 58 percent were universities, both public and private. Research materials covered topics that reviewed the requirements and impact of the law, the compliance (or noncompliance) of employers, common problems and possible penalties, and the benefits and actual use (or fear of use) by employees" (p. 147, 148).

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Cantor, D., Waldfogel, J., Kerwin, J., Wright, M., Levin, K., Rauch, J., Hagerty, T., & Kudela, M.S. (2001). *Balancing the needs of families and employers: The family medical leave surveys 2000 update*. Washington, D.C.: U.S. Department of Labor.

"The 2000 Survey of Employees was a telephone survey designed to sample U.S. residents who had been employed at any time since January 1, 1999. Telephone numbers were randomly generated using a list-assisted procedure. Once a household was contacted, the interviewer identified potential respondents who had been employed since January 1, 1999. Three unique samples of respondents were identified and interviewed: (1) those who had taken leave from work for a family or medical reason; (2) those who had needed but not taken this type of leave; and (3) those who were employed but had neither taken or needed leave during the period covered by the survey... A total of 2,558 interviews were completed. The final weighted response rate for the survey was 58.3%" (p.1-4).

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Galinsky, E., & Bond, J.T. (1998). *Business work-life study: A sourcebook*. New York, NY: Families and Work Institute.

"The Families and Work Institute's 1998 Business Work-Life Study (BWLS) is one of the first and most comprehensive studies of how U.S. companies are responding to the work-life needs of the nation's changing workforce. Funded by Allstate Insurance Company, The Chase Manhattan Bank, The Commonwealth Fund, Freddie MacFoundation, Kaiser Permanente, and Travelers Foundation, the 1998 BWLS surveys a representative sample of 1,057 for-profit (84 percent of the sample) and not-for-profit companies (16 percent of the sample) with 100 or more employees. It was developed to complement the Families and Work Institute's 1997 National Study of the Changing Workforce (NSCW), which surveyed a representative sample of employees in the U.S. labor force" (The 1998 Business Work-Life Study Executive Summary, p. 1). To read the Executive Summary or to purchase the full report, please visit, <http://www.familiesandwork.org/index.asp?PageAction=VIEWPROD&ProdID=9>

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Gerstel, N., & McGonagle, K. (1999). Job leaves and the limits of the family and medical leave act: The effects of gender, race, and family. *Work and Occupations*, 26(4), 510-534.

Data was collected from a national survey conducted by the Congressional Commission on the Family and Medical Leave Act using telephone interviews, yielding a sample size of 2,253 respondents for this study.

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Waldfogel, J. (2001). Family and medical leave: Evidence from the 2000 surveys. *Monthly Labor Review*, 124(9), 17-23.

The study analyzed information from "... two new surveys of employees and establishments conducted by Westat for the Department of Labor in the summer and fall of 2000 ...The 2000 Survey of Employees interviewed 2,558 U.S. residents who had been employed at any time since January 1, 1999. Three types of individuals were included in the survey: (1) leave takers...(2) leave needers...and (3) other employees. The 2000 Survey of Establishments gathered information from a random sample of 1,839 private business establishments, some covered by the FMLA and some not. Like the original 1995 survey, the 2000 survey did not include government employers" (p. 17, 18).

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