

NLWJC - Kagan

DPC - Box 027 - Folder 001

Family - FMLA Radio Address

draft 1/31 7pm

**PRESIDENT WILLIAM J. CLINTON
RADIO ADDRESS ON FAMILY LEAVE
Saturday, February 1, 1997**

Good morning. As a parent, I know how important it is to take responsibility for our children when they need us most -- when they are sick, when they need to go to the doctor, or when there is a parent-teacher conference at school. Fortunately, Hillary and I have never had to risk our jobs to be there for our daughter. We have never had to make the choice between being good parents and good workers. Today, I want to talk with you about what we have done, and what more we must do, to give that same assurance to every American family.

One of the things that I most wanted to do when I became President was to help parents succeed both at home and at work. That is why I was so proud to make the Family and Medical Leave Act the first bill I signed as President, exactly four years ago this Wednesday.

Family and Medical Leave allows people in companies with 50 or more employees to take up to 12 weeks of unpaid leave -- to care for a newborn or newly-adopted child, or to be with a family member who is seriously ill, without fear of losing their job.

Today, over half of all American workers share this important benefit. People like Christie Sens, a first grade teacher from Fairfax, Virginia who is here with me today. Christie was among the first Americans to make use of the new Family Leave law in 1993, when she and her husband were expecting their first child. Christie thought she would be forced to choose between the six weeks her school allowed for new mothers, or taking a whole year off without pay. Because of our new law, she was able to spend 12 full weeks at home -- recovering from her pregnancy, and spending precious time with her new daughter. Christie used the benefit again in 1995 for the birth of her second child.

Family leave is not only family friendly -- it is employer friendly as well. Also with me today is Stan Sorrell, President and CEO of the Calvert Group, an investment firm in Bethesda, Maryland, and two of his employees who have used Family Leave. The Calvert Group started a Family and Medical Leave program three years before it became the law of the land. Like almost 90 percent of businesses covered by the law, they found that Family Leave is easy to administer, and costs them little or nothing. So we know it is working for both families and businesses. After all, in these past four years, American business created 11.2 million new jobs -- more than any four-year term in our history.

We must make it even easier for parents to take responsibility, and live up to

their obligations to their children and their employers. Today, I call on Congress to expand the Family Leave Law, to give parents an additional 24 hours of unpaid leave each year -- to take a child or an elderly relative to a regular doctor's appointment, or to attend parent-teacher conferences at school. In doing so, we will make our families stronger and our workers more productive -- building the kind of country and economy we all want for our children.

We must also address the fact that too many workers still do not know about the Family Leave law. That is why I am pleased to announce that we are launching a multi-media public education campaign, to spread the word about Family Leave; to make sure employers and employees have the facts; and to make sure everyone knows how to make this law work for them. It's not enough to help people have the tools to succeed; we must make sure they know what those tools are. The centerpiece of this campaign is a new 800 number that any American can call to learn about Family and Medical Leave: 1-800-959-FMLA. You can also get information through our Labor Department's website on the Internet: WWW.DOL.GOV.

By expanding Family Leave to cover children's doctor's visits and parent-teacher conferences -- by helping more Americans learn about the opportunity of Family Leave -- we will enable millions more Americans to meet their responsibilities, both at home and at work. That is how we must prepare our people for a new century, full of new promise and possibility.

As parents, teachers, and business people; as members of the workforce and members of our communities -- we all share a stake in the strength of our families. Our society can never be stronger than the children we raise, or the families in which we raise them. That is why Family Leave is more than a single issue or accomplishment. It is at the heart of our approach to preparing America for the 21st Century, by ensuring that we can all meet our obligations, and make the most of the gifts that God gave us.

Thanks for listening.

1/28

show impact - call atten
and highlight in terms of pub
ed campaign

FMLA

- impact it has had
- sending leg up
- 800 - 1# - response good
- 10,000 calls
- web site

FORGET

constit q's - hard to reach w's q's -
Patsy should know -
so she knows this is coming

Families - hard to do
+ not new picture
+ doesn't support
"outreach to public"

|| Not a decision at delinking
these two legislatively

One family went to him at desk.

business person (under 50, but ~~ok~~)
father.

} probably b/c to do
over 50

690 - 5673

TO: Jon Kaplan
Pauline Abernathy
Elena Kagan

FROM: Maria Echaveste 

DATE: January 30, 1997

RE: President's Radio Address on FMLA

I am sending a one page document on FMLA accomplishments, the President's proposal to extend FMLA, and the Department of Labor's public education campaign, for the President's radio address on Saturday.

To provide you with additional background information on the FMLA proposal, I am also sending:

1. The one page document prepared for the Vice President's Family Reunion Conference in June, 1996, which included a summary of the FMLA proposal; and
2. A fact sheet on the President's Family Friendly Workplace Act of 1996, which contains a more detailed description of the FMLA proposal.

cc: C. Metzler, V. Trivelli, J. O'Connor, S. King, G. Palast, S. Sachar

**FMLA FOUR YEAR ANNIVERSARY:
EXPANDING ON SUCCESS**

FMLA: Four Years of Helping Families: According to a 1996 report by the Family and Medical Leave Act Commission:

- 67 million Americans at 330,000 firms - over half of all workers - are guaranteed they can take time away from their job due to their own serious illness, to care for a seriously ill parent, spouse or child, or for the birth or adoption of a child without fear of losing their job or health insurance;
- 40% of all workers think they will need to take leave for a covered reason at some time in the next five years;
- Compliance is easy and not costly for most employers:
 - 9 in 10 employers find the law "very" or "somewhat" easy to administer;
 - Compliance entails little or no administrative or hiring cost for about 90% of businesses;
 - Work sites with fewer employees found it easier to comply than larger sites.
- Due to FMLA, two-thirds of FMLA-covered firms have changed some aspect of their policies to comply with the Act. Policies dealing with leave for fathers to care for their children were the most common change.

The President's Plan to Extend the FMLA: The President proposes to extend the FMLA to allow workers to attend to child education, elder care, and routine family medical needs, by giving workers an additional 24 hours of unpaid leave in a 12-month period to:

- Participate in school activities directly related to their children's educational advancement, such as parent-teacher conferences;
- Accompany their children to routine medical or dental appointments such as check-ups or vaccinations;
- Accompany an elderly relative (not just a parent) to routine medical or dental appointments or appointments for other elder care need services, such as interviews at group or nursing homes.

Workers could take leave for these purposes with seven days notice (or less, if seven days is not practicable) and could take the leave intermittently. As with other types of FMLA leave, they could substitute paid leave if available to them.

Making Sure People Know Their Rights Under the FMLA: The Administration has launched a public education campaign - one of the recommendations of the FMLA Commission - to ensure that employees and employers are aware of their rights and responsibilities under the FMLA:

- The Department of Labor now has a toll-free number, **1-800-959-FMLA**, to provide employees and employers with basic information on the law. Callers can also receive additional information, including complaint forms and compliance guides. As of January 29, over 14,000 people had called the FMLA hotline.
- Workers can also get information on the FMLA from the Internet, at a special web site on the Department's home page: <http://www.dol.gov/dol/esa/fmla.htm>.
- Public service announcements in newspapers and on the radio will publicize the hotline number and Internet address to workers across the country.

*Employee-Choice Flex-Time
Expanded Family and Medical Leave*

FACT SHEET

The President today transmitted to the Congress the Family-Friendly Workplace Act of 1996. This legislation would offer American workers more choice and flexibility in finding ways to earn the wages they need to support their families while also spending valuable time with their families.

Employee-Choice Flex-Time Legislation:

President Clinton's employee-choice flex-time proposal would help make private sector workplaces more family-friendly by ensuring worker flexibility while guarding against abuses by coercive or unstable businesses -- with explicit protections against potential abuse. The President's proposal would allow more Americans to have the time they need to fulfill their responsibilities as workers and to their children and elderly relatives.

Under the President's proposal, workers of employers which offer a flex-time option could agree with their employers to receive extra paid time-off -- "flex-time" -- instead of premium pay for working overtime. Consistent with existing law, workers would get time-and-a-half in flex-time -- extra paid time-off -- for each hour of overtime worked.

Employee Choice

President Clinton's proposed legislation assures that employees -- not just employers -- receive the benefits of greater workplace flexibility to help balance work and family needs. Under the President's proposal, employees choose:

- Whether they will get cash pay or flex-time, at time-and-a-half, for overtime hours worked. Employees can choose premium pay or flex-time each time they work overtime, or they can choose one of the options over a period of time.
- Whether to cash-out earned flex-time with 15 days notice to their employer.
- Whether to retain earned flex-time for up to three more months rather than have their employer cash it out on an annual basis.
- When to use earned flex-time:
 - ▶ Employees can always choose to use flex-time for family and medical leave purposes -- to care for a new-born or adopted child, to attend to their own serious health needs, or to care for a seriously ill child, parent, or spouse.
 - ▶ They can also use earned flex-time for any other purpose with two weeks notice to their employer unless use of the flex-time will cause substantial and

grievous injury to the employer's operations, or with less than two weeks notice unless the use of the time-off would unduly disrupt the employer's operations.

In addition, employers could not cash-out employees' earned overtime at their sole discretion and, thereby, deprive the employees of their earned paid time-off.

Worker Protection

President Clinton's proposed legislation assures that employees are adequately protected from unscrupulous, coercive or unstable employers who seek to use compensatory time as a way to avoid overtime costs. Under the President's proposal:

- The most vulnerable workers would be exempt.
- Eligible employees would know about their employer's flex-time plan, and their rights and responsibilities.
- Employers could not require employees to accept or request flex-time as a condition of employment, nor require employees to use earned flex-time at any time.
- An employee could only earn and "bank" 80 hours of flex-time in any 12 month period.
- Employers would have to cash-out employees' accrued flex-time:
 - ▶ within 15 days after the employee's request;
 - ▶ upon termination of employment; or,
 - ▶ on an annual basis, unless the employee chooses otherwise.
- When employers cash-out employees' earned flex-time, or the employee uses earned flex-time, the employee would always be paid at the higher of the pay rate when the overtime was worked or when the cash-out occurs.
- Employees' other benefits and entitlements would be protected.
- Employer violations would be subject to appropriate remedies and sanctions.
- Employees would be protected from employers declaring bankruptcy or going out-of-business.
- The new flex-time provisions would automatically expire ("sunset") after four years, and a Commission would be established to study the effects of the flex-time provisions and report findings and recommendations to the Congress and the Secretary

of Labor not later than one year before the expiration of the flex-time provisions.

President Clinton's employee-choice flex-time proposal gives American employers and their employees greater flexibility in balancing employment and family needs while assuring that workers are protected from potential abuse.

Expanded Family and Medical Leave

President Clinton's proposal to ~~deepen and extend~~ the Family and Medical Leave Act would complement his employee-choice flex-time proposal and also allow more Americans to have the time they need to fulfill their responsibilities as workers and to their children and elderly relatives. The President's proposal would allow American workers to take unpaid time-off -- up to a maximum of 24 hours a year -- for child education, older relatives' health care needs, and routine family medical purposes.

The current Family and Medical Leave law -- while a great benefit to U.S. workers and not burdensome on employers -- helps families only with a medical crisis or special, limited care-giving needs, such as birth or adoption. But working families often are faced with the need to care for children or parents in circumstances for which they cannot now use Family and Medical Leave.

President Clinton's proposal to expand the current Family and Medical Leave Act would:

- Allow an additional 24 hours of unpaid leave in any 12-month period for parental involvement and elder-care purposes, specifically to:
 - ▶ participate in school activities directly related to the educational advancement of a child of the employee, such as parent-teacher conferences or interviewing for a new school;
 - ▶ accompany the employee's child to routine medical or dental appointments, such as check-ups or vaccinations; and,
 - ▶ accompany an elderly relative, not just a parent, of the employee to routine medical or dental appointments or appointments for other professional services related to the elder's care, such as interviewing at nursing or group homes.
- Allow such additional leave to be taken "intermittently or on a reduced leave schedule," and allow substitution, for unpaid FMLA leave, of paid vacation, personal or family leave, like other FMLA leave, for these additional purposes.
- Require 7 days notice by the employee of the intent to take this kind (parental involvement or elder care) of FMLA leave if the need for the leave is foreseeable, or as soon as practicable if it is not.

- Allow the employer to require that a request for such leave be supported by a certification issued as required by regulations issued by the Secretary of Labor.
- The same provisions are made applicable to Federal employees.

**PRESIDENT CLINTON ANNOUNCES NEW
FAMILY-FRIENDLY WORKPLACE PROPOSALS:**

□ **EXPANDED FAMILY & MEDICAL LEAVE**

~~□ **EMPLOYEE-CHOICE FLEX-TIME**~~

NEW EXPANSION OF FAMILY AND MEDICAL LEAVE: *President Clinton's new proposal would deepen and expand Family Leave by allowing a worker to take unpaid hours off -- with a maximum of 24 hours a year -- for child education, older relatives' health needs, and routine family medical purposes.*

Current Family and Medical Leave Law. The FMLA helps families only with a medical crisis or special limited care-giving needs, such as a birth or adoption. But working families often have to care for children or parents in circumstances for which they cannot use Family and Medical Leave.

New Family And Medical Leave Procedures. FMLA expansion would be limited to 24 hours a year for the following specific purposes:

- **SCHOOL ACTIVITIES.** Participating in school activities directly related to the educational advancement of your child, such as parent-teacher conferences or interviewing for a new school;
- **ROUTINE FAMILY MEDICAL PURPOSES.** Accompanying your child to routine dental or medical appointments, such as annual checkups or vaccinations;
- **OLDER RELATIVES' HEALTH NEEDS.** Accompanying an elderly relative to routine medical appointments or other professional services related to the care of the elderly relative, such as interviewing nursing homes or group homes.

~~**NEW EMPLOYEE-CHOICE FLEX-TIME:** *President Clinton's new proposal would offer American workers more choice and flexibility in finding ways both to earn the wages they need to support their families and still find the time they need to be with them. The President's proposal would:*~~

- ~~**EMPLOYEE CHOICE.** Allows employees to agree with their employers to work overtime in exchange for paid time-off -- flex-time -- with a limit of up to 80 hours. An hour of overtime could thus be used for 1-and-1/2-hours of overtime pay or 1-and-1/2 hours of flex-time.~~
- ~~**FLEX-TIME FOR ANY PURPOSE WITH 2 WEEKS NOTICE.** Workers could use their earned flex-time for any reason -- as long as they give their employers 2 weeks notice.~~
- ~~**EMPLOYEES CAN ALWAYS CHOOSE PAY OVER FLEX-TIME.** Workers would maintain the right to choose overtime pay, and even if they choose flex-time, they could still cash out any portion of their flex-time pay with two weeks notice.~~
- ~~**FLEX-TIME FOR FAMILY LEAVE.** Employees can use their accumulated family flex-time for family leave purposes at any time.~~

OPPOSE ATTEMPTS TO REDUCE WORKER CHOICE: *In announcing these new family-workplace proposals, President Clinton made clear that he would oppose any bill that allows for coercion*

W...
D...

Radio Address: FMLA Anniversary Family Friendly Workplace Agenda

We propose the following to be the key elements of the President's radio address this weekend:

HEADLINE: On four year anniversary of FMLA enactment, President announces new family friendly workplace proposals.

- THRUST:**
- (1) Recognize the accomplishments during the first four years of FMLA;
 - (2) Announce a public education campaign to educate workers and employers about their rights under FMLA; and
 - (3) Discuss the importance of expanding the law to better help workers care for their children and parents.

KEY POINTS

- I. Recognize the accomplishments from the first four years under FMLA. Four years ago, the President signed into law the Family and Medical Leave Act.
 - a) Impact of FMLA on employees and employers. According to the Family and Medical Leave Act Commission:
 - o 67 million Americans at 330,000 firms -- over half of all workers -- are guaranteed they can take time away from their job due to their own serious illness, to care for a very ill parent, spouse or child or for the birth or adoption of a child without fear of losing their job or their health insurance.
 - o 40% of all workers think they will need to take leave for a covered reason at some time in the next five years.
 - o Compliance is easy and not costly for most employers:
 - 9 in 10 employers find the law "very" or "somewhat" easy to administer.
 - Compliance entails little or no cost for 89% - 99% of businesses.
 - Work sites with fewer employees found it easier to comply than larger sites.
 - o Due to FMLA, two-thirds of FMLA-covered firms have changed some aspect of their policies in order to comply with the Act. One of the areas most cited for change was leave for fathers to take care of their children.
 - o 20 million workers -- not just those protected by the FMLA -- took family and medical leave during the 18-month period because of their own

serious illness or that of a child, spouse or parent, or to care for a newborn or adopted child. Just over half (54.9 percent) of all employees are covered and eligible for FMLA. [Note, this statistic is often misused and we need to treat it carefully.]

- b) Real impact on real people. Following are a small sampling of stories of workers for whom FMLA has made a positive difference. We are finding stories of employers to add to this, focussing primarily on firms with fewer than 50 workers.

Diane Atwood (Little Rock, AR). (Attends the same parish as the President and we believe was with the President when he delivered the radio address at Children's Inn in 1995.) In 1992, Diane Atwood, married with two daughters, was diagnosed with Hodgkin's lymphoma. After six months of chemotherapy, her cancer went into remission, but then came back in 1993. She received more chemotherapy, a bone marrow transplant, and an experimental drug -- all of which put the cancer back into remission. She says that without FMLA, she and her family could not have lived through the emotional and financial stress of the disease. Her treatments have cost of \$350,000, and with the help of FMLA she kept her job and her health insurance, and was able to receive the treatment she needed to save her life. She says, "FMLA allowed me to concentrate solely on fighting the cancer with all my being. Because of this Act, I was free from having to worry whether I would still have a job when I was able to return to work."

Christie Sens (Fairfax, VA). (Christie Sens was with the President when he gave the radio address from Children's Inn at NIH in 1995.) When first grade teacher Christie Sens became pregnant in 1993, school policy allowed new mothers only six weeks off. If Ms. Sens wanted more time to recover and bond with her baby, she would have had to take an entire year-long leave, something her family couldn't afford. But later that year, in August, the FMLA became effective and the school changed its policy to give employees 12 weeks of leave to be with a newborn, as required by the law. Ms. Sens and her family benefited from the new law, and so did her students: She was able to return to the classroom confident that the needs of her new child had been met, and ready to meet her workplace responsibilities. Ms. Sens used FMLA again in 1995 for the birth of her second child.

Cynthia Lewis (Philadelphia, PA). Single mom Cynthia Lewis fought her way off welfare and into work, a struggle she might have ultimately lost if not for the FMLA. When Ms. Lewis' 10 year old daughter developed an inoperable brain tumor, Ms. Lewis needed to take time off from work so her child could receive medical treatment. At first she was able to juggle her work schedule and her daughter's appointments, but eventually she had to begin missing work. Her employer was slow to acknowledge Ms. Lewis' rights under the FMLA - she successfully challenged several unfair dismissals. But Ms. Lewis was able to take care of her young daughter and spend precious time with her in the last year of her

daughter's life, without sacrificing her job or her independence from welfare - thanks to the FMLA.

Bill Fish (Saginaw, MI). Bill Fish works in production at Thompson Saginaw Ball and Screw Company. Last spring, he needed time off to help his wife, Debbie, who had developed glaucoma and become blind. Doctors in Saginaw advised Bill to take his wife to the University of Michigan, 85 miles away. After two operations in two weeks, doctors were able to restore her sight. Bill feels strongly about the importance of FMLA, because without it he would have lost his job during this ordeal. He said also that by spending time with his wife, he was able to strengthen her hopes and determination to keep fighting.

2) **People Can't Exercise Their Rights if They Don't Know What They Are.** To ensure that American workers and employers know about FMLA, the President should announce that he is initiating a public education campaign through print and radio PSAs..

- o Announce the toll free number. The Labor Department now has an 800 number -- 1-800-959-FMLA -- that workers and employers can call to learn more about the Family and Medical Leave Act.

In its first week of operation, the hotline received nearly 13,000 calls from individuals and hundreds of calls from businesses looking for more information about the law. [WILL PROVIDE UPDATE ON NUMBER OF CALLS ON FRIDAY]

- o Next week, DOL will release public service announcements to newspapers and radio stations throughout the nation, getting information about the law and the toll free number into the homes of millions of Americans.
- o Challenge businesses to educate their workers about FMLA. According to the Family and Medical Leave Commission, less than 1/4 of workers learned about FMLA on the job.

3. Now It Is Time to Expand the Law to Better Help Workers Care for Their Children and Parents.

The President should reiterate the principles embodied in the Family Friendly Workplace Act of 1996, which includes two key and linked policy components -- expansion of FMLA joined with employee choice flex-time.

EXPAND FMLA

Principle: FMLA should be expanded to cover more family obligations to better help working families care for their children and elderly relatives without sacrificing their work obligations. Currently the Act helps families only with a medical crisis or special limited care-giving needs, such as birth or adoption.

Under the President's proposal:

- o Workers can take up to 24 hours of leave each year to meet additional specified family obligations, for example to go to routine doctors appointments, attend parent-teacher conferences, accompany an elderly relative to medical visits or research nursing homes.

EMPLOYEE CHOICE FLEX - TIME

Principles: (1) Allow more Americans to have the time they need to fulfill their responsibilities as both workers and as parents or grown children of elderly relatives; (2) Ensure worker flexibility and real worker choice; and (3) Guard against abuses by unscrupulous or unstable businesses, with explicit protections against coercion.

Under the President's proposal:

- o **Employee Choice.** Allows employees to agree with their employers to work overtime in exchange for paid time off -- "flex-time" with a limit up to 80 hours. An hour of overtime could be used for 1 1/2 hours of overtime pay or 1 1/2 hours of paid leave.
- o **Flex-Time for Any Purpose with 2 Weeks Notice.** Workers could use their earned flex-time for any reason -- as long as they give their employers 2 weeks notice.
- o **Employees Can Always Choose Pay Over Flex-time.** Workers would maintain the right to choose overtime pay, and even if they choose flex-time, they could still cash out any portion of their flex-time pay with two weeks notice.
- o **Flex-Time for Family Leave.** Employees can use their accumulated family flex-time for FMLA purposes at any time.

ADDITIONAL EXPANSIONS TO CONSIDER ARE. In addition to reinforcing the ideas announced in Nashville last summer, the President might include the following additional principles.

A. EXPANDING COVERAGE

Principle: To expand coverage to millions of additional workers.

- o The President could propose lowering the thresholds for employer coverage and employee eligibility to 25 employees instead of the current 50. This would make an additional 10.2 million workers eligible. (Note: the President can discuss the principle of covering more workers without necessarily signing off on new legislation.)

Pros:

- o Is a bold expansion of FMLA that will make an enormous difference in the number of covered workers and firms. Dropping the threshold would bring under FMLA an additional 10.2 million workers at 360,000 firms.
- o Will be strongly supported by the labor movement and other FMLA 'advocates' such as the Women's Legal Defense Fund.
- o Will show support for several similar bills introduced by Democratic Senate and House members.

Cons:

- o Commission report shows the costs of FMLA to Work sites with 26-49 employees is much higher than that at Work sites of 50-99 or 100-250 employees.
- o Small business community will vehemently oppose. Will argue it is impossible to cover for employees on FMLA leave with such a small workforce and it is too costly to hire temps.
- o If added to the bill, it would complicate passage of the President's "24-hour" amendment to the FMLA (or it may be a moot point if that legislation also has no chance of passage).

B. EXPAND LEAVE REASONS UNDER FMLA TO INCLUDE INDIVIDUALS STRUGGLING TO DEAL WITH DOMESTIC VIOLENCE

Principle: To ensure that victims of family violence are not forced to put their jobs in jeopardy to deal with their crisis.

- o The President could amend his 1996 legislative proposal to expand the reasons one can take FMLA leave such as for individuals struggling to deal with domestic violence.

Pros:

- o Would ensure that victims of domestic violence do not lose their jobs when they have to be out of work for the family emergencies related to protecting themselves

SENT BY:

1-28-97 : 3:19PM :

202 218 8216: # 2 / 4

*Spoke
at signing
4 years
ago*



Shirley Butler
New Orleans, Louisiana

**MEDICAL LEAVE—
SERIOUS HEALTH CONDITION**

Shirley Butler tells the following story:

Shirley Butler is a social worker. She has always worked in the social services, because she loves working with people and helping them with their problems.

From February 1992 until April 1993, she worked with AIDS patients at the No AIDS Task Force. During that time, she needed a partial hysterectomy and was hospitalized. Fortunately, she was covered by the No AIDS Task Force's extensive health insurance program, which paid for her surgery. She had to take some time off for her surgery and convalescence; this leave was paid by her employer. After six weeks, she returned to work.

She really enjoyed working with AIDS patients. However, her job was, at times, overwhelming. In a single year, she went to seventeen funerals of clients and friends. In April 1993, she decided she needed a change. She stopped working for the No AIDS Task Force and took a position at St. Anne's Nursing Home.

St. Anne's was a change for her in more ways than one. The job was easier, because she didn't experience the constant stress of coping with the deaths of her clients. However, it was much more difficult financially. St. Anne's didn't provide employees with sick leave or vacation time -- let alone health insurance. This was very unfortunate for Ms. Butler. She was suffering severe complications from her partial hysterectomy and her doctor warned her that she badly needed a second round of surgery. She was truly in a bind. Because she had worked for only four months at St. Anne's, she wasn't protected by the Family and Medical Leave Act. And even if she had been, she couldn't afford to take unpaid leave. She told her doctor that she needed to put off having surgery as long as possible. When she asked him what would happen if she postponed surgery, he replied, "You won't die yet, but you're going to wish you did."

During that time, Ms. Butler remembers that her body felt like it was falling apart. Her intestines were growing into her bowels -- she says she looked like she was six months

Cc:cf
WOMEN'S LEGAL DEFENSE FUND
1875 Connecticut Avenue, NW Suite 710
Washington, DC 20009
202/96-2500
Fax: 202/96-2519



from violence.

- o Would be supported by women's organizations.

Cons:

- o Likely not to be passed by Congress.

C. EXPAND LEAVE REASONS UNDER FMLA TO INCLUDE ROUTINE MEDICAL APPOINTMENTS FOR INDIVIDUALS.

Principle: Presently leave under the FMLA is limited only to serious medical conditions, and does not include routine medical appointments. Forty million workers do not have paid sick leave to take care of routine -- but essential to healthy living -- medical treatment. The President's proposal extends FMLA to cover routine medical visits for children and elderly relatives.

- o The President could go one step forward and amend his 1996 legislative proposal to expand the reasons one can take FMLA leave to include a worker's own routine dental or medical appointments because a healthy parent is key to a healthy family.

Pros:

- o Recognizes that workers must tend to their own routine medical needs, but often are not permitted leave to do so.
- o Would be supported by FMLA advocacy organizations.

Cons:

- o No major cons other than it may not be passed by Congress.

We look forward to discussing these ideas with you.

SENT BY:

1-29-97 : 3:19PM :

202 219 9216: # 3/ 4

**Shirley Butler
New Orleans, Louisiana**

**MEDICAL LEAVE--
SERIOUS HEALTH CONDITION**

pregnant from the swelling. She was short of breath all the time and in constant pain. Even so, taking unpaid leave for surgery seemed financially impossible. She waited as long as she could, but finally had to take another six-week leave for surgery and recuperation -- this time unpaid. Luckily, she was still covered by her health insurance policy from the No AIDS Task Force under COBRA. During her unpaid leave she could not afford anything; all her bills piled up. Her single priority was keeping that COBRA plan paid. Without it, she would not have been able to afford her surgery.

She was able to get her former job back after six weeks, as no one had filled in in her absence. But Ms. Butler believes that waiting for surgery made the procedure more complicated and her stay in the hospital longer. She asks, "What could I have done? I had no other options. The prospect of taking unpaid leave seemed nearly as devastating as not taking any leave at all."

Since her surgery, she has worked at several nursing jobs, sometimes more than one at a time, just to make ends meet. In the past few years she has had some serious health problems, and they have only been complicated by her lack of health insurance and her inability to take unpaid leave. One of her jobs offered a health insurance program that was just too expensive for her to buy into. Other jobs offered no health insurance at all. Right now, for example, she does not qualify for her company's health insurance program because she only works part-time. "I am worried that further surgery will be necessary and I just won't be able to afford to care for myself. And then how will I care for other people?"

Shirley Butler testified before the Family Leave Commission on August 4, 1995.

Shirley Butler can be reached through the Women's Legal Defense Fund at (202) 986-2600

SENT BY:

1-29-97 : 3:20PM :

202 218 8216: # 4/ 4

① in movie w/
Potus
to at
radio address
2 yrs ago



George and Vicki Yandle
Marietta, Georgia

FAMILY LEAVE -- CHILD WITH
SERIOUS HEALTH CONDITION

The Yandles tell their story:

In January of 1987, Dixie -- George and Vicki's youngest child -- was diagnosed with synovial sarcoma, a soft-tissue cancer. To combat the cancer, doctors were forced to amputate her left leg two inches below the pelvis. Immediately thereafter, Dixie began chemotherapy treatments. Dixie was often carried out of the hospital by her father.

Both the Yandle parents took time off from work to care for their daughter during these treatments. Ms. Yandle, a salesperson at a furniture store, was fired because her manager thought that she was lying about her daughter's cancer and her need for intermittent time off.

Mr. Yandle worked as a salesperson for a large Atlanta car dealership. He juggled his work and family responsibilities by running back and forth between the dealership and the hospital. During this time, he was under enormous emotional strain. Finally, he passed out from the stress, spending three days in the hospital's intensive care unit.

Mr. Yandle was fired from his job in May 1987. He testified that his boss told him that he lost his job because of Dixie, because he put his family before his job. It took Mr. Yandle several months to find a new job. During this time, the Yandles exhausted their savings. Finally, Mr. Yandle accepted a new job at a 50-60 percent pay cut.

At a hearing held in Atlanta by Senator Christopher Dodd (then Chair of the Children and Families Subcommittee), Mr. and Ms. Yandle testified about how their family needed family and medical leave.

In September of 1992, Congress passed and sent the Family and Medical Leave bill to President Bush. When it did so, a bipartisan press conference was held to urge Bush not to veto the FMLA again, and Vicki Yandle, accompanied by her husband and daughter, spoke at that press conference.

But it wasn't until February 1993 that the FMLA became the law of the land. It was the first bill President Clinton signed. And in the Rose Garden that day Vicki Yandle was again the spokesperson representing America's working families. Two months later, in April 1993, Dixie Yandle died.

The Yandles' story is one of two stories on which CBS' January 21, 1997 telemovie, *A Child's Wish*, was based.

The Yandles can be reached through the Women's Legal Defense Fund at (202) 986-2500.

Carol
WOMEN'S LEGAL DEFENSE FUND
1875 Connecticut Avenue, NW Suite 710
Washington, DC 20009
202/986-2500
Fax: 202/986-2530



SENT BY:

1-10-97 : 6:36PM :

202 529 8699: # 3/ 4

① in movie w/ Potus at radio address 2 yrs ago

**Kenneth and Rosemarie Weaver
Port Lavaca, Texas**

**FAMILY LEAVE--CHILD WITH
SERIOUS HEALTH CONDITION**

Working parents Kenneth and Rosemarie Weaver tell the following story:

Kenneth Weaver works as a technician at a petroleum plant.

In 1993, Mr. Weaver learned that a rare, incurable cancer afflicting his 11-year-old daughter, Melissa, was worsening. At Melissa's doctor's urging, he immediately asked his supervisors for twelve weeks of family leave under the Family and Medical Leave Act of 1993. His bosses reviewed the then-new law, told Mr. Weaver that he was indeed entitled to leave, and agreed to hold his job until he returned. Mr. Weaver began his leave the following week.

For the next seven weeks, Mr. Weaver and his wife spent every moment they could with Melissa and her two younger sisters. They traveled to Chicago to see relatives. They visited the Museum of Science and Industry. And, through the efforts of the Make-A-Wish Foundation, they got a tour of the White House and met with President Clinton. Melissa died six days later, on Oct. 2, 1993.

Kenny Weaver told the President that without the new law, he would have had to choose between the emotional needs of his oldest daughter and the economic needs of his two younger girls. But the law gave him the job security he needed to share in the last weeks of his daughter's life.

Said Mr. Weaver, "There are no precise words to describe what the FMLA meant to our family. Without this law, our family could never have made the precious memories that we now hold so dear." Mrs. Weaver agreed: "I was trying to take care of the other two children and trying to keep everything normal when it was not -- I don't know if I would have made it without having him there."

President Clinton would later tell the Weavers' story and let the entire nation remember Melissa in his 1994 State of the Union address.

Kenneth and Rosemarie Weaver testified about their experiences before the Family Leave Commission on May 8, 1995. And theirs was one of two stories on which CBS' January 21, 1997, telemovie, *A Child's Wish*, was based.

The Weavers can be reached through the Women's Legal Defense Fund at (202) 986-2600.

DRAFT

EXPANDING THE FAMILY AND MEDICAL LEAVE ACT -- TO HELP FAMILIES BALANCE WORK AND FAMILY RESPONSIBILITIES

Four Year Anniversary

February 1, 1997

PRESIDENT CLINTON DELIVERED ON HIS PROMISE TO PROVIDE FAMILY LEAVE: On February 5, 1993, President Clinton delivered on his promise and signed into law his first piece of legislation, the Family and Medical Leave Act of 1993. The law allows workers at businesses with 50 or more employees to take up to 12 weeks of unpaid, job-protected leave to care for a newborn or adopted child, to attend to their own serious health needs, or to care for a seriously ill parent, child or spouse.

BIPARTISAN REPORT SHOWS THE LAW IS WORKING: A 1996 report on the impact of the law by the bipartisan Commission on Leave, chaired by Senators Dodd and Craig, shows that the law is working:

- **67 million Americans -- over half of workers -- are guaranteed they can take leave from their job to care for a sick relative or a newborn child without fear of losing their job or their health insurance.**
- **More than 12 million eligible workers have taken leave with federal protection since its enactment.**
- **40% of all workers think they will need to take leave for a covered reason at some time in the next 5 years. The leading reason is to care for a seriously ill parent.**
- **Despite opponents' claims, compliance is easy and costs low for most employers:**
 - 9 in 10 employers find the law "very" or "somewhat" easy to administer
 - Compliance entails either little or no costs for 89%-99% of businesses
- **Some businesses have reported reduced employee turnover, enhanced productivity and improved morale which they attribute to the Act.**

NOW IT IS TIME TO EXPAND THE LAW TO BETTER HELP WORKERS CARE FOR THEIR CHILDREN AND PARENTS. While the law is a major step forward, it does not cover many situations facing working families. President Clinton proposes expanding the law to cover more family obligations to better help working families care for their children and elderly relatives without sacrificing their work obligations. Under the proposed expansion, workers could take up to 24 hours of additional leave each year to meet additional specified family obligations, including routine doctors appointments and parent-teacher conferences. Leave could be taken for the following purposes:

- **Participating in school activities directly related to the educational advancement of your child, such as parent-teacher conferences or interviewing for a new school;**
- **Accompanying your child to routine dental or medical appointments, such as annual checkups or vaccinations;**
- **Accompanying an elderly relative to routine medical appointments or other professional services related to their care, such as interviewing nursing or group homes.**

A NEW PUBLIC EDUCATION CAMPAIGN WILL INFORM PEOPLE OF THEIR PROTECTIONS UNDER FMLA. According the Commission on Leave, less than 1/4 of workers learned about FMLA on the job. The Clinton Administration has launched a public education campaign -- a recommendation of the Commission -- to ensure that employees and employers are aware of their rights and responsibilities under the FMLA.

- **New toll-free FMLA Hotline -- 1-800-959-FMLA -- to provide employers and employees with basic information on the law. In under two weeks, over 14,000 people have called the Department of Labor's FMLA Hotline.**
- **Internet information on FMLA is found at a special web site on the Department of Labor's home page -- <http://www.dol.gov/dol/esa/fmla.htm>.**
- **Upcoming public service announcements in newspapers and on the radio will publicize the FMLA hotline and Internet address to workers and employers across the country.**

draft 1/31 4pm

**PRESIDENT WILLIAM J. CLINTON
RADIO ADDRESS ON FAMILY LEAVE
Saturday, February 1, 1997**

As a parent, I know how important it is to take responsibility for our children when they need us most -- when they are sick, when they need to go to the doctor, or when there is a parent-teacher conference at school. Fortunately, Hillary and I have never had to risk our jobs to be there for our daughter. We have never had to make the choice between being good parents and good workers. Today, I want to talk with you about what we have done, and what more we must do, to give that same assurance to every American family.

One of the things that I most wanted to do when I became President was to help parents succeed both at home and at work. That is why I was so proud to make the Family and Medical Leave Act the first bill I signed as President, exactly four years ago this Wednesday.

Family and Medical Leave allows people in companies with 50 or more employees to take up to 12 weeks of unpaid leave -- to care for a newborn or newly-adopted child, or to be with a family member who is sick, without fear of losing their job.

Today, over half of all American workers share this important benefit. People like Christie Sens, a first grade teacher from Fairfax, Virginia who is here with me today. Christie was among the first Americans to make use of the new Family Leave law in 1993, when she and her husband were expecting their first child. Christie thought she would be forced to choose between the six weeks her school allowed for new mothers, or taking a whole year off without pay. Because of our new law, she was able to spend 12 full weeks at home -- recovering from her pregnancy, and spending precious time with her new daughter. Christie used the benefit again in 1995 for the birth of her second child.

Family leave is not only family friendly -- it is employer friendly as well. Also with me today is Stan Sorrell, President and CEO of the Calvert Group, an investment firm in Bethesda, Maryland, and two of his employees who have used Family Leave. The Calvert Group started a Family and Medical Leave program three years before it became the law of the land. Like more than 90 percent of participating companies, they found that Family Leave is good for business, adding little or nothing to their costs. After all, in the four years since I signed the Family Leave law, American business created 11.2 million new jobs -- more than any four-year term in our history.

We must make it even easier for parents to take responsibility, and live up to

their obligations to their children and their employers. Today, I call on Congress to expand the Family Leave Law, to give parents an additional 24 hours of time off each year -- to take a child or an elderly relative to a regular doctor's appointment, or to attend parent-teacher conferences at school. In doing so, we will make our families stronger and our workers more productive -- building the kind of country and economy we all want for our children.

We must also address the fact that too many workers are not taking advantage of the Family Leave law, because they are not even aware of it. That is why I am pleased to announce that the Department of Labor is launching a multi-media public education campaign, to spread the word about Family Leave; to make sure employers and employees have the facts; and to make sure everyone knows how to make this law work for them. It's not enough to help people have the tools to succeed; we must make sure they know what those tools are. The centerpiece of this campaign is a new 800 number that any American can call to learn about Family and Medical Leave: 1-800-959-FMLA. You can also get information through our Labor Department's website: WWW.DOL.GOV.

By expanding Family Leave to cover children's doctor's visits and parent-teacher conferences -- by helping more Americans learn about Family Leave, and the ways they can succeed both at home and at work -- we will create more opportunity, take more responsibility for our children and families, and build a stronger community for us all. That is how we must prepare America for the 21st Century, and help everyone have the tools to make the most of their lives.

Family and Medical Leave embodies one of our country's most basic goals: building stronger families as we enter a new century, full of new promise. Ralph Waldo Emerson once said, "It is one of the most beautiful compensations of this life that no man can sincerely try to help another without helping himself." Family and Medical Leave is helping millions of American families -- and in so doing, it is helping us all. Now is the time to expand it, and make it available to even more of our citizens.

Thanks for listening.

MEMORANDUM

TO: Don Baer, Gene Sperling, Ann Lewis, Rahm Emanuel, Mike McCurry,
Bruce Reed

FROM: Eli Attie/Jon Kaplan

RE: Saturday's FMLA Radio Address

DATE: Friday, January 31, 1997

Here is a near-final run-down of the FMLA radio address, to be taped live in the Oval Office tomorrow:

Message of Event

As discussed, there are three main points:

1. To describe the accomplishments of the Family Leave law on the fourth anniversary of its signing (the exact anniversary is 2/5);
2. To announce a new 800 number and public education campaign to increase awareness of FMLA;
3. To reaffirm the President's campaign commitment to expand Family Leave to parent-teacher conferences and children's routine medical appointments.

It was decided not to include mention of our flextime proposal, or to discuss when we will resubmit the FMLA expansion bill (originally submitted on the last day of the 104th Congress), since we do not yet know if these two proposals would be combined in one bill.

Terry Edmonds is preparing the President's remarks.

Event and Picture

A briefing will be held in the President's dining room, from 9:45 to 10:00. The event will take place at 10:06 in the Oval, followed by the usual receiving line.

Josh King is arranging the picture; the goal is to incorporate both a sign with the new 800 number, and some real people who have been affected by FMLA. We

are bringing in Christine Sens, a first-grade teacher from Fairfax, VA, and her husband. Christine became pregnant in 1993 and 1995, and without FMLA would only have been allowed 6 weeks off to recover and be with her baby -- unless she took a full year off from teaching, which she could not afford. FMLA allowed her 12 weeks off for both pregnancies. (Her children will be coming, but are too young to have in the room without risk of disruption.) We are also bringing in Clifton "Stan" Sorrell, CEO of the Calvert Group, a \$5.2 billion, 175-employee investment company in Bethesda, which has been implementing FMLA and already offers the leave policies we are proposing under our FMLA expansion. Mr. Sorrell was at the FMLA signing in 1993 (his company has been recognized as one of Working Mother's best 100 companies four years in a row, and was also one of Bush's Thousand Points of Light). Sorrell will be bringing two of his employees who have used Family Leave.

The current plan is for the President to read the radio address from his desk, with Mr. and Mrs. Sens standing behind the desk on one side, and Mr. Sorrell and his employees on the other side. Josh is preparing a small sign-tent which would be placed on the desk to be at the center of the picture, which might say something like "Learn More About Family Leave: 1-800-959-FMLA." (Josh will have additional options ready.)

Press and Materials

Most likely, only still photographers would be allowed in this event. NEC has drafted an overall one-pager (attached), Labor is finishing one-pagers on their public education campaign and on the Sens family and Sorrell's company, and the Press Office could also distribute copies of Labor's new Family Leave PSA's (attached).

Please let us know if you have any additional thoughts.