

Paid Family Leave & Child Care Policy in Rhode Island

Unpaid Family Leave: Rhode Island's *Parental and Family Medical Leave Act* passed in 1987 and requires that employers with 50 or more employees grant an unpaid leave of absence, upon the request of an eligible employee, for 13 consecutive weeks in any two calendar years. This leave can be used for the birth of a child of an employee, placement of a child 16 years of age or less with an employee in connection with the adoption of such child by the employee, or to recover from a serious illness or care for a family member with a serious illness.

The Federal *Family and Medical Leave Act* passed in 1993 and requires that employers with 50 or more employees allow employees to take 12 weeks of unpaid leave in a 12-month period to care for a new child (through birth, adoption, or foster care placement), for a serious health condition that makes the employee unable to perform the essential elements of his or her job, or to care for a family member with a serious health condition. Intermittent or reduced schedule leaves are allowed in some circumstances. Employers are also required to continue group health insurance coverage for an employee on FMLA leave under the same terms and conditions as if the employee had not taken leave.

Paid Medical Leave: The Rhode Island *Temporary Disability Insurance Act* was passed in 1942 and was the first law of its kind in the U.S. It is a state-managed insurance program designed to provide partial-wage replacement to workers when they experience a non-work-related illness or injury that prevents them from working. Rhode Island's program is 100% funded through withholding from worker's paychecks (no employer contributions). An employee must be out-of-work due to sickness or non-work related injury for at least 7 consecutive days in order to be eligible for partial wage replacement benefits (up to 2/3 of wages). Health care providers must certify that employees are unable to work. Coverage is available for up to 30 weeks. Pregnant employees who are unable to perform customary and regular work duties due to medical complications (e.g. bed rest) are eligible for TDI. Childbirth is considered a disabling condition with standard recovery times of 6 weeks for a vaginal birth and 8 weeks for a c-section.

Paid Family Leave: The *Temporary Caregivers Insurance Act* was passed in 2013 as an amendment to the Temporary Disability Insurance program. It provides workers with up to 4 weeks of partial-wage replacement to bond with a new child (through birth, adoption or foster care) or care for a seriously ill family member. Workers who receive TDI for pregnancy complications and/or childbirth may also claim coverage for bonding leave.

Earned Sick Leave: Rhode Island's *Healthy and Safe Families and Workplaces Act* passed in 2017. The law requires Rhode Island employers to provide 5 days of annual sick and safe leave for workers (phased in with 3 days in calendar year 2018, 4 days in 2018, and 5 days thereafter). Employers with 18 or more employees must provide paid sick and safe leave. Employers with 17 or fewer employees just have to offer unpaid sick and safe leave. The time can be used for employee's own illness, preventive care, or health treatment or for an employee's family member's illness, preventive care, or health treatment. This time can also be used for safety reasons when needed by the employee or a member of the employee's family who is a victim of domestic violence, sexual assault, or stalking. Family member is defined as a child, parent, spouse, mother-in-law, father-in-law, grandparents, grandchildren, domestic partner, sibling, care recipient, or member of the employee's household.



Rhode Island Child Care Assistance Program: Rhode Island's Child Care Assistance Program (CCAP) provides financial assistance to low-income working families to help them pay for child care. The program currently serves families participating in the RI Works program (cash-assistance), pregnant and parenting teens participating in the DHS Youth Success program, and low-income families who meet income guidelines ($\leq 180\%$ FPL) and are working a minimum of 20 hours per week at or above Rhode Island's minimum wage. Child care subsidies are also available for families participating in training, apprenticeship, internship, on-the-job training, work experience, or work immersion sponsored by the Governor's Workforce Board and foster families who need child care in order to care for a child who has been placed with them. Through a graduated phase-out eligibility policy, families can retain a subsidy as long as their income remains $\leq 225\%$ FPL. The state serves all eligible children (no waiting list). Copayments are required for families with incomes above 100% FPL, ranging from 2% to 14% of family income.

As of September 2016, 84% of subsidies were used by a low-income working family not receiving cash assistance, 7% were used by families receiving cash assistance, and 9% were used by foster families. Current reimbursement rates for the program are the lowest in New England and well below recommended levels to ensure equal access to high-quality child care. Current CCAP rates are meeting the 12th percentile for infant care, 18th percentile for preschool care, and 19th percentile for school-age care of the 2015 Market Rate Survey.

Through the Rhode Island Campaign for Quality Child Care, advocates are promoting passage of legislation to establish a strong tiered quality rates system for CCAP with high-quality programs receiving rates at or above the 75th percentile.

Child Care Tax Credit: Rhode Island has a state Child and Dependent Care Tax Credit. It is calculated as 25% of the amount the parent receives through the federal Child and Dependent Care Tax Credit (which is not refundable). Families must file state and federal taxes to collect this credit. The state credit in Rhode Island ranges from \$263 to \$525 per year for a family with two children.