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February 6, 2017

To: Senator Albrecht and Members of the Business and Labor Committee
From: Kaitlin Reece, Policy Coordinator for Economic Stability and Health
RE: Support for LB 372

Nebraska workers balancing careers and families need support from their workplaces. Sadly discrimination against family caregivers happens and there are few protections in federal or state law to protect workers. Working mothers are particularly vulnerable; however, family responsibilities discrimination can happen to any caregiver. Currently, most workers have to show the discrimination they faced fits into other categories such as gender or association with someone who has a disability, which can be shaky legal ground at best.

The federal Family and Medical Leave Act of 1994 provides legal protections for some family caregivers; however, employees must work at a job site that employs at least 50 workers in a 50 mile radius. In a state like Nebraska where almost half of our workforce work at jobs with less than 50 employees, many workers, particularly low income or rural workers, are not protected.¹

These low income workers are among some of the most vulnerable, facing overwhelming demands at work and at home. These workers are less likely to have predictable schedules and have limited ability to set their own schedules or take time off work when they or a family member are sick. Almost 60% of low-income workers did not have a say over when their work day begins or ends and only 23% of lowest-wage workers have paid sick days. This number shrinks to 11% if the worker needs to take time to care for a sick child.² Therefore the likelihood that family caregiving responsibilities and work responsibilities will collide is high.

Voices for Children in Nebraska supports LB 372 because it supports families, particularly when they are experiencing a high amount of family/work conflict, and protects them from discrimination. Alaska, Minnesota, New York, the District of Columbia and over 60 political subdivisions provide protections for family caregivers.³ We hope the Business and Labor Committee will strongly consider making Nebraska the next state to offer this important protection for working families.

¹ Nebraska Department of Labor figures. 43% of employees work at a job site with 49 or less employees.

² "Issue Brief: Poor, Pregnant, and Fired: Caregiver Discrimination Against Low-Wage Workers." Work Life Law: UC Hastings College of Law. Available online at http://www.worklifelaw.org/pubs/IssueBrief_PoorPregnantAndFired.pdf

³ "Caregivers as a Protected Class? The Growth of State and Local Laws Prohibiting Family Responsibilities Discrimination." Work Life Law: UC Hastings College of Law. Available online at <http://worklifelaw.org/pubs/LocalFRDLawsReport.pdf>