

February 5, 2025

Dear Member of Congress,

On behalf of the undersigned organizations and the tens of millions of working families we represent, we write in support of the Job Protection Act. The Job Protection Act would improve and strengthen the Family and Medical Leave Act (FMLA), which was signed into law 32 years ago in 1993, and provides eligible workers with up to 12 weeks of unpaid, job-protected leave to bond with a new child; care for a seriously ill or injured spouse, parent, or child; address their own health condition; or up to 26 weeks to care for a servicemember or address needs related to a family member's deployment.

**The FMLA has been used nearly 463 million times by working people who needed to care for their own health or the health of their families.**<sup>1</sup> Nearly 15 million workers take FMLA leave each year.<sup>2</sup> The FMLA is [a key protective measure for millions of American workers](#), not only ensuring that they have time to prioritize their personal health and that of their loved ones, but ensuring that they are able to return to jobs that have been waiting for them.

**The FMLA has helped to transform workplaces, but too many people are still left behind.** Many workers, especially workers of color, are not able to access unpaid leave through the FMLA. About 44 percent of workers – including 48 percent of Latinx, 47 percent of Asian American, 43 percent of Black and 42 percent of white workers – are not covered by the FMLA because they work for small employers, do not work enough hours or have not worked for their employer for long enough.<sup>3</sup> Workers in some more-rural states are also less likely to be eligible: Just 48 percent of workers in Vermont, 47 percent of workers in Maine, 46 percent in Wyoming and Idaho, and 43 percent of workers in Montana have access to FMLA leave.<sup>4</sup> The existing one-year tenure requirement excludes more than one in five workers, and especially large shares of women (23.4 percent), Latinx workers (25.2 percent) and Black workers (26.9 percent).<sup>5</sup> Among workers who are not protected by the FMLA, nearly 2.6 million each year need leave but do not take it because they fear losing their job.<sup>6</sup>

**The Job Protection Act would close these gaps by expanding FMLA coverage and strengthening the law's protections.** While the lack of pay during leave remains a significant barrier to taking time off and a financial strain on those who need leave, without job protection, even those who have access to paid leave may not be able to risk losing their jobs. The Job Protection Act would protect employees at small businesses by eliminating the requirement that a workplace have 50 or more employees within a 75-mile radius, which currently excludes an estimated 35 million workers at small employers.<sup>7</sup> It would eliminate the requirement that a worker must have worked 1,250 hours at a single workplace over the previous year, protecting both part-time workers and many workers, particularly those in low-wage jobs, who work more than one job but do not meet this requirement in any one of them. Finally, it would reduce the amount of time that a worker must

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<sup>1</sup> National Partnership for Women & Families. (2023, February). *Key Facts: The Family and Medical Leave Act*. Retrieved 23 January 2025, from <https://nationalpartnership.org/report/fmla-key-facts/>

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Joshi, P., Walters, A. N., Wong, E., Shafer, L., & Acevedo-Garcia, D. (2023, March). *Inequitable access to FMLA continues*. Diversity Data Kids at the Institute for Equity in Child Opportunity & Healthy Development at Boston University School of Social Work. Retrieved 23 January 2025, from <https://www.diversitydatakids.org/research-library/data-visualization/inequitable-access-fmla-continues>

<sup>5</sup> Based on the most recent data available, collected in January 2024. U. S. Bureau of Labor Statistics. (2024, September 26). *Employee Tenure in 2024 (Table 3. Distribution of employed wage and salary workers by tenure with current employer, age, sex, race, and Hispanic or Latino ethnicity, January 2024)*. Retrieved 23 January 2025, from <https://www.bls.gov/news.release/tenure.t03.htm>

<sup>6</sup> See note 1.

<sup>7</sup> U. S. Bureau of Labor Statistics. (2024, October 30). *National Business Employment Dynamics Data by Firm Size Class (Table F. Distribution of private sector employment by firm size class: 1993/Q1 through 2024/Q1, not seasonally adjusted)*. Retrieved 23 January 2025, from <https://www.bls.gov/bdm/bdmfirmsize.htm>

have worked at their workplace from one year to 90 days, ensuring that people changing jobs or returning to work, either by choice or necessity, will have protections.

**We urge you to support this essential legislation that will strengthen protections for our nation's workers, help keep Americans attached to the workforce, and prevent millions from having to sacrifice their health or the health of their families.**

Sincerely,

**National**

A Better Balance  
American Association of University Women (AAUW)  
American Federation of Teachers (AFT)  
Campaign for a Family Friendly Economy  
Caring Across Generations  
Center for American Progress  
Center for Law and Social Policy (CLASP)  
Center for WorkLife Law  
Equal Rights Advocates  
Family Values @ Work  
Family Values @ Work Action  
Main Street Alliance  
MANA, A National Latina Organization  
Moms First  
Mother Forward  
MomsRising  
National Alliance for Caregiving  
National Association of Social Workers  
National Council of Jewish Women  
National Domestic Violence Hotline  
National Employment Law Project  
National Organization for Women  
National Partnership for Women & Families  
National Women's Law Center  
Paid Leave for All  
Reproductive Freedom for All (formerly NARAL Pro-Choice America)  
Shriver Center on Poverty Law  
The Arc of the United States  
The Center for Science in the Public Interest (CSPI)  
United For Respect  
U.S. Breastfeeding Committee

**California**

Legal Aid at Work

**Illinois**

Women Employed

**Kansas**

Kansas Breastfeeding Coalition

**Missouri**

Abortion Action Missouri  
Missouri Jobs with Justice

**New Jersey**

New Jersey Citizen Action  
NJ Time to Care Coalition

**North Carolina**

NC Families Care Coalition

**Oregon**

Family Forward Oregon

**Washington**

Economic Opportunity Institute