



Maine Women's Lobby

THE VOICE OF MAINE WOMEN

P.O. Box 15
Hallowell, Maine 04347
207.622.0851
Fax 207.621.2551
info@mainewomen.org
www.mainewomen.org
www.mainewomen.org

Family Values at Work

Maine people value hard work and the importance of strong family ties. We have a long history of passing public laws to voice our common belief that we must protect workers and support families because we know these are the building blocks of prosperity and a thriving economy.

The Work and Family Bind

Workers with family responsibilities shouldn't fear discrimination on the job. Today in Maine we have workers who are faced with a terrible bind. Many are experiencing increased economic pressure as well as increased care-giving responsibilities at home. And while Maine law protects women who are preparing to welcome a new child into the world, there is no state or federal law to protect workers who already have children or care for aging parents. As a result, workers who have family responsibilities can be fired or refused promotion because their employer believes they have too many obligations at home.

What is Family Responsibilities Discrimination?

Family Responsibilities Discrimination (FRD) happens when an employee is unfairly penalized at work because of perceptions in the workplace around his or her obligations to provide care for family members. A victim of discrimination may be fired, underpaid or passed over for promotion, have her hours or responsibilities reduced, or her benefits denied.

Any worker who has family-related responsibilities is at risk. This includes not only mothers and fathers, but adult children caring for aging parents or adult siblings caring for a disabled brother or sister. The National Family Caregivers Association (NFCA) estimates that more than 50 million people in the United States provide care for a family member who is ill, disabled or aged.¹ This number translates into more than five times the population of Maine, New Hampshire, Vermont and Massachusetts combined. The Center for WorkLife Law reports that there has been a nearly 400% increase in FRD claims within the last 10 years.²

A Win-Win for Maine

Employers and employees will benefit from information and clarification. No employer wants lawsuits, and most business owners want to support their workers in whatever way they can. By clarifying Maine law through adding protection from family responsibility discrimination, employers will know what is legal and illegal, eliminating costly court battles and improving the workplace climate for employees with families.

Passing LD 962, "An Act to Protect Family Caregivers" will:

- ❖ **Protect Maine workers with family responsibilities.** It will give victims of FRD an administrative process through which they can pursue their claim with the Maine Human Rights Commission.
- ❖ **Clarify the law for employers and employees.** The Equal Employment Opportunity Commission recommends employers adopt best practices to recognize the needs of employees who are also family caregivers in their recently issued guidelines for Title VII and the Americans with Disabilities Act.³ By clarifying family caregivers status in state law

employers and employees are better equipped to recognize, and ultimately prevent discrimination in the workplace.

Productive employees and strong families are the key to a thriving economy.

LD 962 is Family Values at Work.

¹ Source: U.S. Department of Health and Human Services, Informal Caregiving: Compassion in Action. Washington, DC: 1998, and National Family Caregivers Association, Random Sample Survey of Family Caregivers, Summer 2000, Unpublished http://www.thefamilycaregiver.org/who_are_family_caregivers/care_giving_statistics.cfm

² Quarles, L. Family Responsibilities Discrimination. Stennis Institute of Government. July 31, 2007, from <http://www.msgovt.org/blogs/tag/frd/>

³ Source: U.S. Equal Opportunity Employment Commission, Enforcement Guidance: Unlawful Disparate Treatment of Workers with Caregiving Responsibilities. Washington, DC: 2007. <http://www.eeoc.gov/policy/docs/caregiving.html>