



IBI BENCHMARKING ANALYTICS

IBI members occasionally request information about disability leaves that is not included in the standard benchmarking reports. When IBI can provide an answer that may be of interest to other members, we make the results available in a series of analytic findings.

HOW DO FMLA BONDING LEAVE OUTCOMES DIFFER BY STATE?

Brian Gifford, Ph.D.
Research Director

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Summary Findings

- To support requests for information about Family and Medical Leave Act (FMLA) leave outcomes in states with different paid family leave (PFL) laws, IBI created an online interactive map that reports reasons for FMLA leaves and leave durations by state and among states with and without PFL and temporary disability insurance (TDI) laws. As an example, this report focuses on leaves taken to bond with a new child (i.e., bonding leaves).
- From 2011 through 2017, 15% of men's FMLA leaves were for bonding with a new child. The share of men's bonding leaves was more than twice as high in states with PFL laws—for leaves taken in California, New Jersey, and Rhode Island during the period covered by the data—than in non-PFL states (28% compared to 13%).
- 24% of women's leaves were for bonding. Since two-thirds of FMLA leave-takers are women, this suggests that women take bonding leave 3.2 times as often as men. The gap between bonding leaves taken in PFL and non-PFL states (32% and 23%, respectively, a 39% difference) is smaller for women than for men.
- Men's leave durations in PFL states are 6 workdays longer than in non-PFL states (a 44% increase). The comparable increase in bonding leave durations in PFL states for women is 3 workdays (a 9% increase).
- The findings are consistent with expectations that PFL laws are associated with more frequent and longer leaves for bonding with a new child—particularly among men.

Background

Paid family leave (PFL) laws generally ensure that employees receive all or part of their normal wages while on leave from work to bond with a newborn, adopted, or foster child (i.e., bonding leaves), or to care for a family member with a serious health condition (i.e., family leaves). As of this writing, six states and the District of Columbia had PFL laws in effect.

As more states and local jurisdictions consider adopting PFL laws, several IBI members have requested information about Family and Medical Leave Act (FMLA) leave outcomes across states with differing policies.

To support these requests, we created an online interactive map using FMLA leave data from 2011-2017. The map reports men's and women's reasons for FMLA leaves and their leave durations, for each state, organized by the PFL and temporary disability insurance (TDI) laws in effect as of 2017.

This report uses outcomes for bonding leaves as an example of the information included in the maps.

Information on family leaves and leaves taken for an employee's own health reasons can also be obtained from the mapping application.

Data

The analysis was conducted using leave data from [IBI's leave benchmarking system](#). Each year, 15 major US disability insurers and absence management firms provide IBI with more than 6 million short-term disability (STD), long-term disability (LTD), Worker's Compensation (WC), and federal FMLA claims from more than 65,000 employers' disability and leave management policies. Claims include information on costs and durations of disability, as well as claim, claimant, and employer characteristics such as industry, plan design, state, date of birth, sex, and the primary diagnosis (International Classification of Diseases, 9th Revision [ICD-9] or 10th Revision [ICD-10]) or reason for leave.

Statistical Method

Our unit of analysis is an approved FMLA leave. We include information from leaves filed from 2011 to 2017. The analysis is based on as many as 3.2 million leaves from more than 2,900 employers. Descriptive statistics of the leaves used in the analyses are included in the appendix.

LEAVE TYPES

The structure of the benchmarking data poses challenges to creating state-level leave rates that can serve as caseload benchmarks. Instead, we report the proportions of leaves taken for different reasons—for an employee's own serious health condition ("own health"), for bonding with a new child, or to care for a seriously ill family member—using multinomial logistic regression.

LEAVE DURATIONS

Durations are calculated as the total lost workdays for an approved leave. Lost workdays include days for which an employee was ordinarily scheduled or expected to work. Assuming a 5-day work week, our measure of lost workdays is about 71% of the total calendar day duration. We top-code our leaves at 60 lost workdays given that federal FMLA laws provide 12 weeks of job-protected time off. This impacted less than 2% of leaves and resulted in a 1% reduction in average lost workdays.

GROUPING LEAVES BY STATES WITH DIFFERENT PFL AND DISABILITY LAWS

We use the average leave type proportions and durations for each state to calculate weighted averages for states with and without PFL laws. We further categorize states by whether they have TDI laws, which may influence the durations of both bonding and "own health" leaves.

Table 1 reports states with PFL and TDI as of 2017. Note that all states with PFL in 2017 also had TDI laws in place.

Table 1: Summary of states by PFL and TDI laws as of 2017

PFL laws by 2017			
		No	Yes
TDI laws	No	All remaining states	None
	Yes	Hawai'i	California
		New York	New Jersey Rhode Island

ANALYTIC LIMITATIONS

IBI's disability benchmarking data are provided from the books of business of several data suppliers. The data do not constitute a representative sample of employers' leave experiences. As such, all information in this document is provided for illustrative purposes only and does not carry any guarantee that an employer will see similar outcomes following the adoption or implementation of PFL, TDI, or other leave policies.

The mapping application

Results shown in this report were generated using IBI's online [FMLA mapping application](#).¹ The application produces a series of colored maps (choropleths) of the United States to represent the findings from the regression analyses based on options selected by the user.² Aggregated results for leaves occurring in states with different PFL and TDI policies are also provided.

FMLA leaves for bonding

Figure 1 and Figure 2 show the shares of bonding leaves for men and women across the U.S. and for leave-takers in states with different PFL and TDI laws.

In Figure 1, the share of men's leaves for bonding range from 5% in Mississippi, West Virginia and Wyoming, to 31% in California. Overall, 15% of men's FMLA leaves are for bonding.

The proportion of men's leaves taken for bonding with a new child is 86% greater in states with PFL laws than in states that have only TDI laws (28% compared to 15%), and 115% greater than in non-PFL states overall (where only 13% of men's leaves are for bonding³).

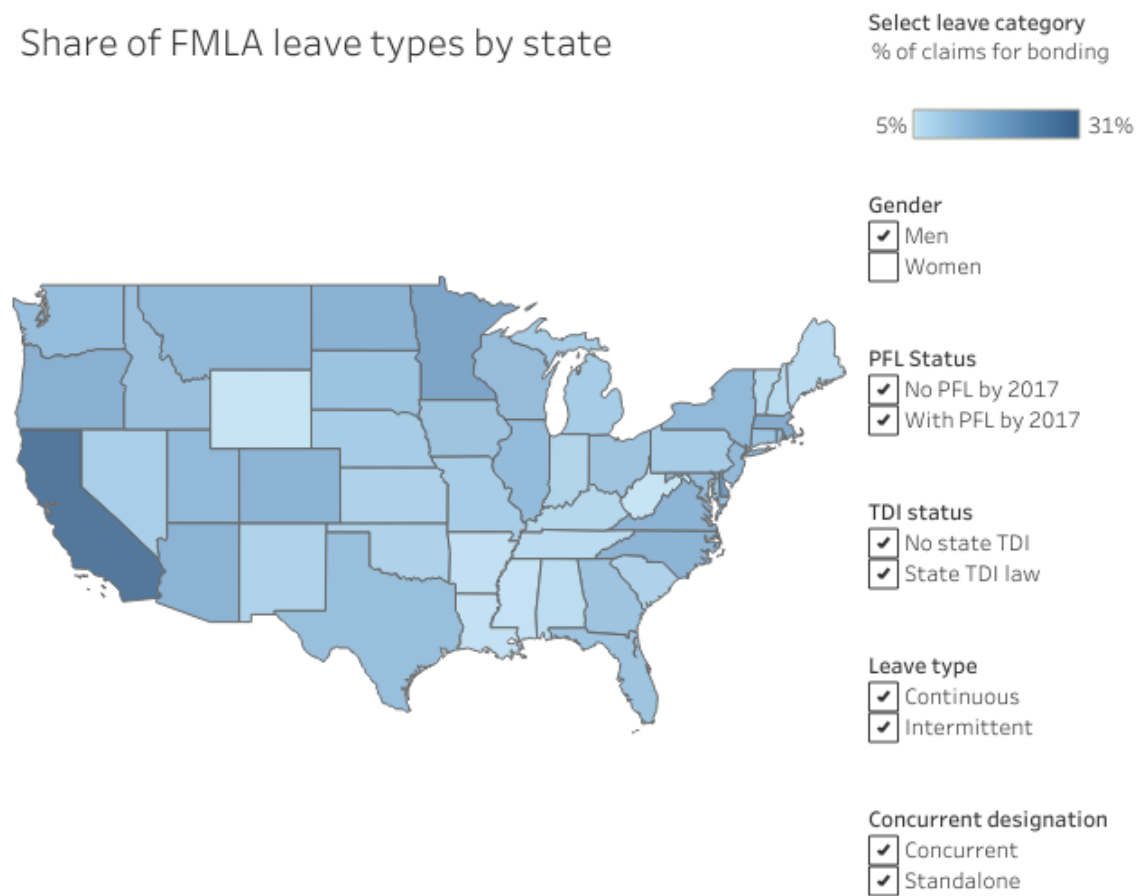
¹ <https://www.ibiweb.org/fmla-leave-outcomes-by-state/>

² States with fewer than 100 leaves are shown as white space on the maps.

³ As reported by the tool when selecting only states with no PFL laws, 13% is the weighted average share of leaves taken for bonding.

Figure 1: Share of men's FMLA leaves for bonding

Share of FMLA leave types by state



Share of leave types by PFL and TDI status

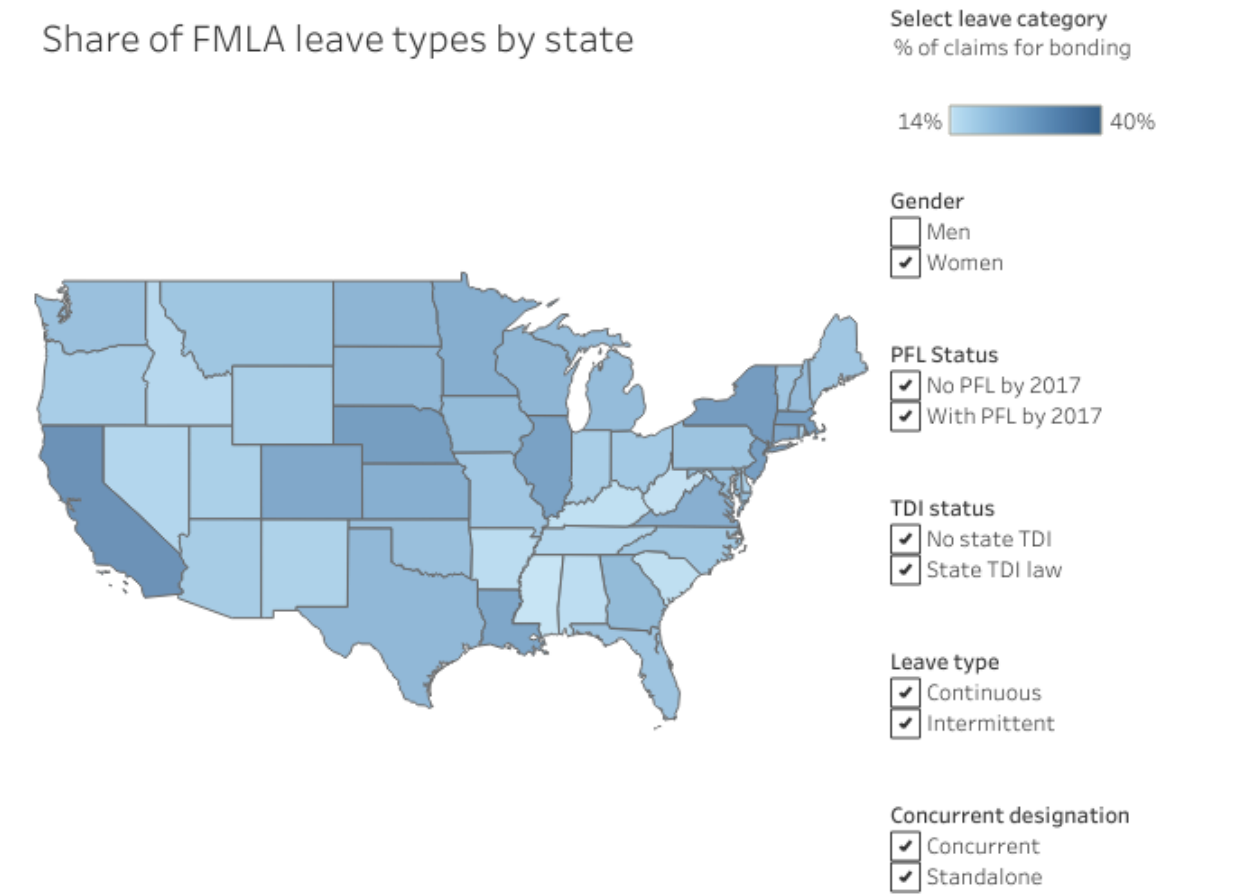
PFL Status		TDI status		
National avg.				15%
No PFL by 2017	No state TDI			12%
	State TDI law			15%
With PFL by 2017	State TDI law			28%

States with TDI and PFL by 2017: CA, NJ and RI
States with only TDI by 2017: HI and NY

In Figure 2, the share of women’s leaves for bonding range from 4% in Mississippi to 40% in the District of Columbia. Overall, 24% of women’s leaves were for bonding. Since two-thirds of FMLA leave-takers are women (see Table 2), this suggests that women take bonding leaves 3.2 times as often as men.

As was observed for men, the share of women’s leaves taken for bonding with a new child is highest in states with PFL laws. However, the gap between bonding leaves taken in PFL and non-PFL states (32% and 23%, respectively, a 39% difference) is smaller for women than for men.

Figure 2: Share of women’s FMLA leaves for bonding



Share of leave types by PFL and TDI status

PFL Status	TDI status	
National avg.		24%
No PFL by 2017	No state TDI	23%
	State TDI law	30%
With PFL by 2017	State TDI law	32%

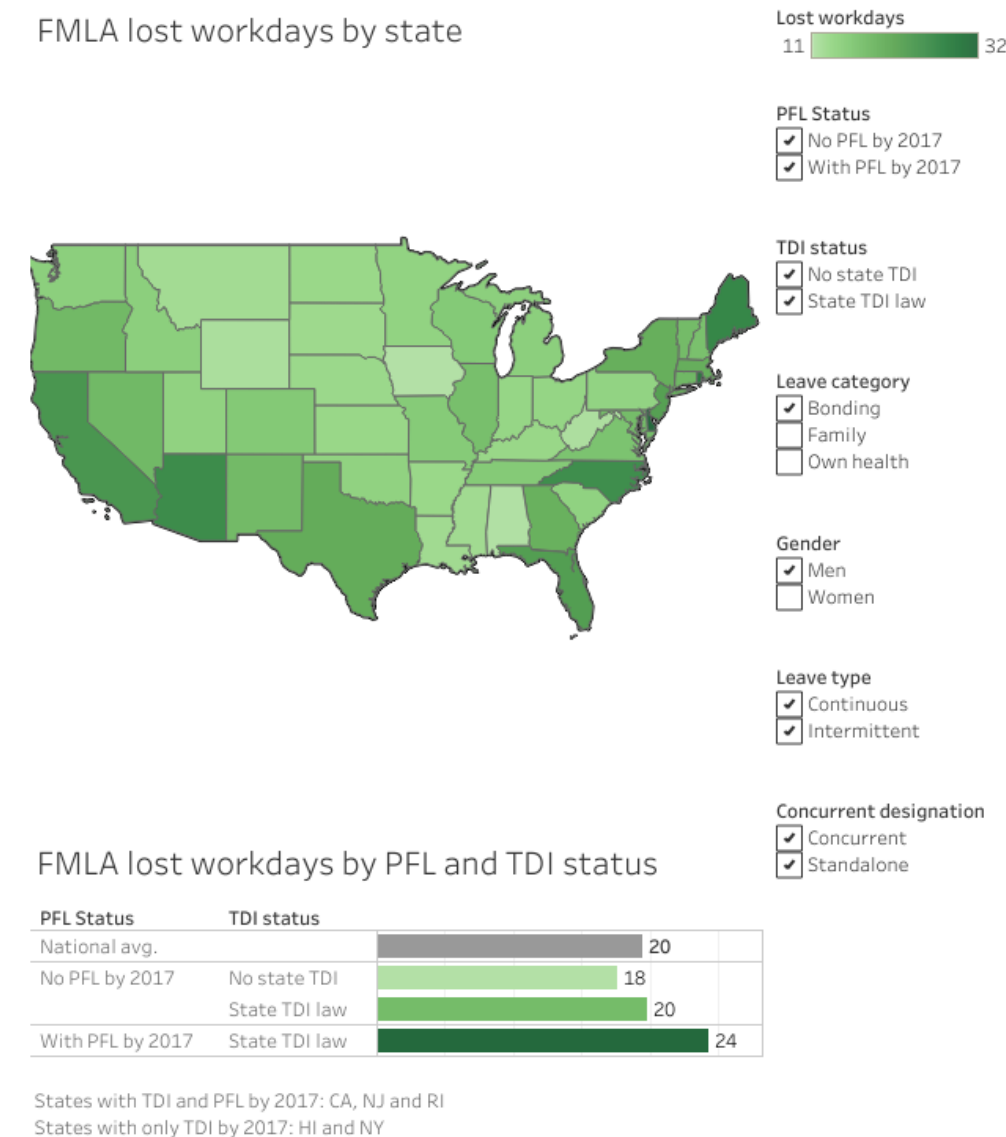
States with TDI and PFL by 2017: CA, NJ and RI
States with only TDI by 2017: HI and NY

Bonding leave durations

Figure 3 and Figure 4 show durations of men’s and women’s bonding leaves across the U.S. and in states with different PFL and TDI laws.

In Figure 3, the durations of men’s bonding leaves range from 11 days in Alabama and Iowa to 32 days in Delaware. Men’s bonding leaves taken in states with PFL and TDI laws were about 6 workdays longer than the overall average for leaves taken in other states (about 44% longer⁴).

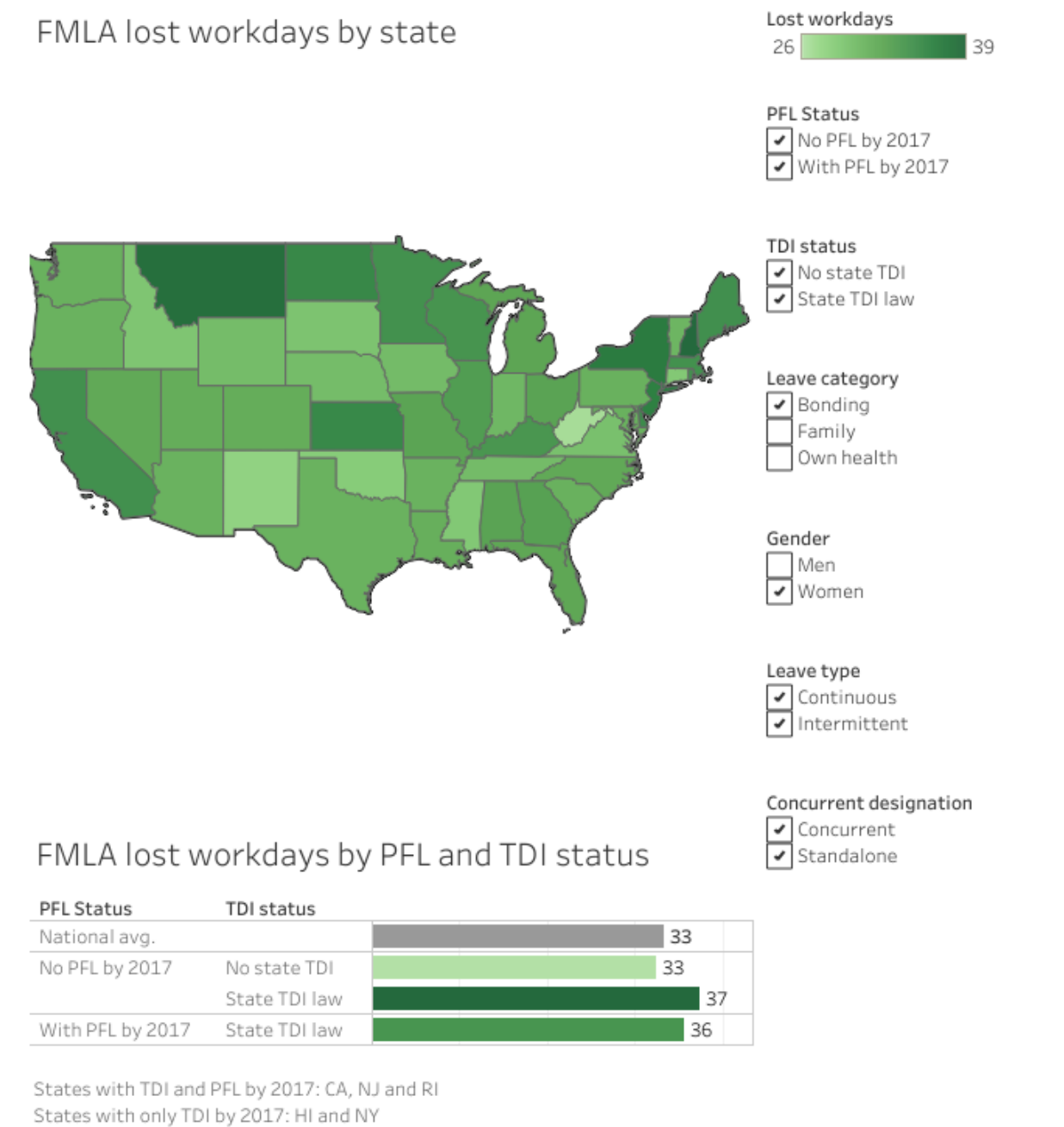
Figure 3: Durations of men’s bonding leaves



⁴ As reported by the tool when selecting only states with no PFL laws, the weighted average duration is 18 lost workdays.

Figure 4 shows that women’s bonding leave durations are generally longer than the durations for men (shown in Figure 3), but with less variability. Average durations range from 26 days in Alaska (not pictured) to 39 days in Montana and New Hampshire. Women’s bonding leaves taken in states with PFL and TDI laws were about 3 workdays longer than the overall average for leaves taken in states without PFL or TDI (about 9% longer), but 1 day shorter than leaves taken in states with TDI laws only.

Figure 4: Durations of women’s bonding leaves



Discussion

IBI's online FMLA mapping application allows users to compare leave outcomes by state. Users can view outcomes by gender, whether the leave was taken continuously or intermittently, and whether the leave was taken concurrently with another program such as short-term disability.

The findings of this analysis are consistent with expectations that PFL laws are associated with employees taking more time off to welcome a new child into the home—even when taking TDI laws into account. As has been reported in other studies,⁵ the findings suggest that PFL laws may be particularly important for men's leave-taking. For men in PFL states, bonding was the reason for leave more than twice as often as for men in non-PFL states. Men's bonding leave durations in PFL states were about 44% longer than in other states. The differences for bonding leave rates and durations for women in different states was smaller than the differences for men.

Implications for Employers

Since the end of 2017, New York, Washington and the District of Columbia have passed PFL laws. Other states and municipalities are poised to follow suit.⁶ This follows an increased interest in corporate PFL policies in recent years.⁷ Employers may benefit from evaluating their current patterns of leave use in order to develop reasonable expectations about men's and women's future utilization of bonding and family leaves. This will provide an opportunity to develop strategies for managing increased caseloads and covering employees' work responsibilities until they return from leave.

⁵ Bartel AP, Rossin-Slater M, Ruhm CJ, Stearns J, Waldfogel J. Paid family leave, fathers' leave-taking, and leave-sharing in dual-earner households. *Journal of Policy Analysis and Management*. 2018 Jan;37(1):10-37.

⁶ Association of State and Territorial Health Associations. "States Consider a Wide Array of Paid Family Leave Legislation." March 21, 2019. < <http://astho.org/StatePublicHealth/States-Consider-Wide-Array-of-Paid-Family-Leave-Legislation/03-21-19/> >

⁷ Gifford B, Zong B and Presutti J. "[And Baby Makes Three \(Months Off\)](#)": Paid Parental Leave at 15 High Tech Firms. 2016 Aug. San Francisco, Integrated Benefits Institute.

Appendix: Summary statistics of leaves used in the analysis

Our analysis includes over 2.6 million leaves with information allowing the estimation of lost workdays, and 3.2 million new leaves used to estimate leave type.

Table 2: Summary statistics of leaves used in this analysis

	Duration sample (N = 2,655,805)		Leave category sample (N = 3,230,781)	
	N	%	N	%
State				
AK	1,941	< 1%	2,152	< 1%
AL	36,826	1%	50,424	2%
AR	15,580	1%	18,303	1%
AZ	70,298	3%	79,826	2%
CA	271,598	10%	337,331	10%
CO	31,733	1%	46,685	1%
CT	62,946	2%	66,240	2%
DC	10,229	< 1%	15,664	< 1%
DE	17,056	1%	17,447	1%
FL	150,159	6%	168,318	5%
GA	73,054	3%	89,516	3%
HI	8,643	< 1%	9,029	< 1%
IA	24,290	1%	32,191	1%
ID	11,436	< 1%	15,511	< 1%
IL	104,999	4%	123,918	4%
IN	54,321	2%	69,504	2%
KS	30,061	1%	39,816	1%
KY	45,812	2%	64,124	2%
LA	15,797	1%	19,461	1%
MA	40,732	2%	55,530	2%
MD	53,700	2%	64,874	2%
ME	13,741	1%	18,523	1%
MI	52,152	2%	61,414	2%
MN	57,411	2%	74,931	2%
MO	81,702	3%	102,327	3%
MS	9,372	< 1%	12,504	< 1%
MT	2,627	< 1%	4,232	< 1%
NC	82,838	3%	101,066	3%
ND	3,605	< 1%	4,687	< 1%
NE	17,563	1%	20,828	1%
NH	10,110	< 1%	15,079	< 1%
NJ	70,003	3%	82,261	3%
NM	9,861	< 1%	10,948	< 1%
NV	34,554	1%	35,349	1%
NY	133,462	5%	174,589	5%
OH	178,941	7%	223,890	7%
OK	15,442	1%	20,338	1%
OR	29,927	1%	44,093	1%

	Duration sample (N = 2,655,805)		Leave category sample (N = 3,230,781)	
	N	%	N	%
PA	109,314	4%	131,629	4%
RI	7,474	< 1%	8,203	< 1%
SC	61,591	2%	74,528	2%
SD	8,100	< 1%	11,016	< 1%
TN	62,789	2%	70,571	2%
TX	214,070	8%	248,543	8%
UT	24,025	1%	25,701	1%
VA	54,548	2%	61,901	2%
VT	3,771	< 1%	4,706	< 1%
WA	105,588	4%	106,180	3%
WI	54,088	2%	76,008	2%
WV	14,647	1%	16,915	1%
WY	1,278	< 1%	1,957	< 1%
<u>Gender</u>				
Male	894,337	34%	1,073,132	33%
Female	1,761,468	66%	2,157,649	67%
<u>Age</u>				
Age 20 to 29	394,110	15%	491,202	15%
Age 30 to 39	804,262	30%	996,604	31%
Age 40 to 49	566,011	21%	678,525	21%
Age 50 and above	822,696	31%	997,910	31%
Unknown	68,726	3%	66,540	2%
<u>Industry</u>				
Agriculture	876	< 1%	950	< 1%
Mining	4,160	< 1%	6,162	< 1%
Construction	11,339	< 1%	12,744	< 1%
Manufacturing	564,228	21%	687,153	21%
Communications	47,873	2%	62,201	2%
Wholesale	92,824	3%	117,714	4%
Retail	106,531	4%	129,399	4%
Finance, other	81,318	3%	98,919	3%
Services	373,141	14%	461,424	14%
Public admin.	20,951	1%	25,898	1%
Transportation	94,942	4%	105,772	3%
Utilities	209,484	8%	200,442	6%
Insurance	152,586	6%	168,560	5%
Banks	364,075	14%	403,413	12%
Credit institutions	70,076	3%	104,985	3%
Hospitals	413,032	16%	571,738	18%
Schools	5,316	< 1%	6,542	< 1%
Colleges	10,376	< 1%	15,029	< 1%
Unknown	32,677	1%	51,736	2%

	Duration sample (N = 2,655,805)		Leave category sample (N = 3,230,781)	
	N	%	N	%
<u>Data year</u>				
2011	267,593	10%	256,875	8%
2012	401,905	15%	380,966	12%
2013	310,345	12%	292,784	9%
2014	363,512	14%	492,384	15%
2015	351,902	13%	513,633	16%
2016	446,463	17%	537,355	17%
2017	514,085	19%	756,784	23%
<u>Company size</u>				
<1000	86,956	3%	111,976	3%
1,000 to 4,999	434,794	16%	623,137	19%
5,000 to 9,999	240,896	9%	345,237	11%
10,000 to 19,999	315,384	12%	430,344	13%
20,000 to 49,999	257,885	10%	311,196	10%
50,000+	404,301	15%	429,975	13%
Unknown	915,589	34%	978,916	30%
<u>Concurrent designation</u>				
Concurrent	1,082,245	41%	1,450,443	45%
Standalone	1,573,560	59%	1,780,338	55%
<u>Leave type</u>				
Intermittent	673,986	25%	737,393	23%
Continuous	1,981,819	75%	2,493,388	77%



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Integrated Benefits Institute
1901 Harrison Street, Suite 1100
Oakland, CA 94612
(415) 222-7280
ibiweb.org