



Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th Street NW
Washington, DC 20503
OIRA_submission@omb.eop.gov

October 1, 2017

Re: Family and Medical Leave Act (FMLA) Wave 4 Surveys, OMB ICR Reference Number: 201703-1290-001

To Whom It May Concern:

We appreciate the opportunity to respond to the Office of Management's (OMB) request for comments on the Family and Medical Leave Act (FMLA) Wave 4 Surveys. Previous waves of these surveys have been invaluable tools for gauging the effectiveness of the FMLA. They produce information that is unavailable elsewhere regarding workers' and employers' experiences handling employee leaves for serious family and medical purposes. The DOL is responsible for administering and enforcing the FMLA, and information in these surveys has proven to be important to the agency's ability to do its job well. It is important to continue to update information about the FMLA and its effects on employers and employees in light of the changing economy and labor force trends. We encourage the Office of Management and Budget (OMB) to approve the collection of survey data and the Department of Labor to move forward expeditiously with the surveys.

We write as academic researchers who have worked closely with the Department of Labor and other agencies engaged in developing and administering work-family policies. Early FMLA surveys served as a baseline for our before-and-after analysis of the experiences of California workers and employers with that state's first-in-the-nation paid family leave program (added to its long standing temporary disability insurance program).ⁱ One of us has analyzed the 2012 wave of the FMLA surveys as well.ⁱⁱ The data from prior surveys have served as the basis of numerous other studies, ranging from the effects of the FMLA on business outcomes to its effect on the labor force attachment and return to paid employment of new mothers.

While the research community is an important consumer of information in the FMLA surveys, we understand that OMB's primary focus is on how the fourth wave of the survey will affect DOL's ability to administer and enforce the act. The surveys will not only be valuable for

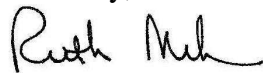
future research, but also will provide important information that directly affects DOL's performance.

- The FMLA surveys will assess the experiences of employers in administering the FMLA and quantify the expected share of workers who take FMLA leaves in a year, data which can help DOL plan staffing levels, materials development and more.
- The FMLA survey data will help DOL identify gaps in compliance and discover gaps in employees' understanding of FMLA provisions. This information plays an important role in DOL determining how to most efficiently target its outreach, enforcement and compliance efforts.
- This information can help DOL and employers alike shape their materials and outreach efforts.
- The survey data will update existing information on the impact of the FMLA on employers and employees, and help assess the need for robust administration and enforcement of the law.

The FMLA surveys provide data that is unavailable anywhere else. Moreover, the proposed sample sizes are large enough to permit extensive subgroup analysis. This will further improve the agency's performance with respect to FMLA implementation. We hope DOL and OMB will move forward expeditiously with Wave 4 of the FMLA surveys.

We appreciate the opportunity to submit comments on these surveys.

Sincerely,



Ruth Milkman
Distinguished Professor of Sociology at the CUNY Graduate Center and
Joseph S. Murphy Institute for Worker Education and Labor Studies
RMilkman@gc.cuny.edu



Eileen Appelbaum
Senior Economist, Center for Economic and Policy Research
Visiting Professor, University of Leicester, UK
Appelbaum@cepr.net

Cc: U.S. Department of Labor-OASAM
Office of the Chief Information Officer
Departmental Information Compliance Management Program
200 Constitution Avenue NW
Washington, DC 20210
DOL_PRA_PUBLIC@dol.gov.

ⁱ Ruth Milkman and Eileen Appelbaum, *Unfinished Business: Paid Family Leave in California and the Future of U.S. Work-Family Policy*, Cornell University ILR Press, 2014

ⁱⁱ Helene Jorgensen and Eileen Appelbaum, *Expanding Federal Family and Medical Leave Coverage: Who Benefits from Changes in Eligibility Requirements?* Center for Economic and Policy Research, 2014; *Documenting the Need for a National Paid Family and Medical Leave Program: Evidence from the 2012 FMLA Survey*, Center for Economic and Policy Research, 2014; *Expanding Family and Medical Leave to Small Firms*, Center for Economic and Policy Research, 2014.