

Testimony of Jeannine Sato

Subcommittee on Children and Families Hearing on Paid Family Leave: The Benefits for Businesses and Working Families

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430 Dirksen Senate Office Building

Good morning. I would like to thank Chairman Hagan and ranking member Enzi for holding this important hearing on the benefits of paid family leave for businesses and working families. My name is Jeannine Sato. I am the director of Durham Connects, the nurse home visiting program for parents of newborns established by Duke University and our community partners. I'm also a married mom of two children: My son, Kenji, is age 4 and my daughter, Hana, is age 7. I'm grateful to have the chance to be with you today and share my family's experience with paid family leave.

When I was pregnant with my daughter just over seven years ago, I thought I was in good shape in terms of maternity leave. I worked for a reputable organization that was supposed to be 'family friendly'. Once I learned I was pregnant, I drafted a multi-page document about how I was going to cover my job responsibilities during my 12 weeks of maternity leave, which I assumed was covered under the Family and Medical Leave Act, otherwise known as FMLA. I didn't anticipate any problems.

I was optimistic that my maternity leave plan would be logical and safe. When I went to present my plan to my boss, I was only three months pregnant. (I like to plan ahead.) Despite submitting a well-thought-out maternity plan meticulously developed to cover my absence, my boss' answer was a resounding "no." I was treated with contempt.

It turns out the federally funded nonprofit I worked for did not have to offer FMLA, because of a little-known exemption that really took me by surprise.

My employer had well over 100 employees, more than the FMLA requirement of 50 employees, and I had been employed for nearly three years, well over the one-year requirement. I learned, though, that for FMLA to apply, a business must have more than 50 employees within a 75-mile radius. Our three offices were separated by 80 miles each. At an earlier meeting, management

decided to juggle hiring and placement in order to avoid the FMLA. I was at that meeting, but didn't realize the full implications of what they were doing in terms of its impact on employees.

This decision meant that there were literally five miles between me and the opportunity to have uninterrupted bonding with my newborn baby. My employer certainly could have made an exception for the situation, as it was listed as an option right in the "Personal Leave" section of the employee manual, citing the organization's "Family Comes First" philosophy.

However, I was deemed as "too essential" to take off 12 weeks, and they didn't want to "set a precedent" that other employees would follow. In addition to refusing my leave, my employer denied me a flexible work environment after the birth. That meant no working from home, and no compressed workweek. So I had to return to work full-time after only six weeks of medical leave, after using all my vacation and sick time, or risk losing my job. I am the breadwinner in my family, and I needed my job.

So, after six weeks of round the clock baby care, I reluctantly dragged my exhausted, sore, depressed body back to work to sit in an office writing documents and checking emails, while my newborn baby was at home. This was an incredibly difficult time physically and emotionally for me, my marriage and my family. As an anxious new mother I was depressed and exhausted, all of which risked my health and that of my baby.

Going back to work so quickly cuts bonding time with children and can make meeting breastfeeding goals very difficult. Ironically, my husband's company, which was clearly exempt from FMLA because it had fewer than 20 employees, still cheerfully offered him four weeks of unpaid leave to care for our child while I went back to work. He brought our daughter in every day so I could breastfeed her over lunch. Even with the ability to pump breast milk every 2 hours, it was extremely difficult to maintain supply. I kept it up for 7 months, about which I am very proud. But many reasonable people would have quit sooner. It was so hard.

Despite going back to work so quickly and all of the sacrifices that it involved, I still ended up going several weeks without pay, as did my husband. It was a tremendous financial struggle for us to reduce our income at a time when we faced the many expenses that come with a newborn

child. We had birth center co-pays, supplies, hundreds of diapers, a mortgage and bills. However, we felt fortunate that at least one of us could be home with our daughter for those crucial first weeks of her life.

It dawned on me during this time that many women don't have the "luxury" of any maternity leave, paid or unpaid. Most states do not have short-term disability, and many Americans have no guaranteed sick time, vacation or maternity leave. Some mothers go back to work only one week after having a child because they can't afford to miss a paycheck. It makes me so sad that Americans would allow their fellow workers – our mothers – to be treated that way.

My negative experience prompted me to leave my previous employer and find another one that would truly honor the idea of 'family friendly' policies, not only because that is the ethical thing to do, but also because it is good business. Happy, supported workers are loyal, productive workers for their employers. Yet many businesses fail to realize that.

Within a year I found a new job at Duke University and resigned my former position. My former boss was shocked when I left. Despite multiple management meetings discussing employee retention strategies, where I told them flexibility was key to staff, they instead gave raises. I told them that I, and probably many other employees, would give the money back if we could have had more work flexibility. Yet management failed to see that loyalty and flexibility are worth their weight in gold.

My second child, Kenji was born four years ago, after I had begun my new position at Duke University's Center for Child & Family Policy. My experience here could not have been more different than at my previous employer. My boss congratulated me upon my pregnancy and told me to let him know what I needed. He allowed me 12 weeks leave and the flexibility to work from home to ease my transition. Per its HR policy, Duke University provided three weeks of pay after my use of accrued vacation and sick time. Because my leave was longer, I still took unpaid time and we had to manage our finances carefully, but I didn't risk losing my job. I was recovered, rested and ready to come back to work, and I never missed a beat. My anxiety was much lower and I was a better parent. Breastfeeding was still hard, but I was better able to manage it at home those first weeks. I will be forever grateful for this support.

The stark difference between the family leave situations between my first and second child crystalized for me how terrible my first experience was, and how much better things can be in a supportive work environment. Being able to take the appropriate amount of time off allowed us to bond with our newborn, and establish good breastfeeding routines and quality child care plans. It gave me time to rest and recuperate from pregnancy and childbirth before jumping back into the workforce.

In addition to my personal experience, through my work I have witnessed first-hand how little support many parents receive from their employers. As I mentioned earlier, I direct a nonprofit nurse home visiting program for parents of newborns. Some of the parents we serve are forced to go back to work as early as 1 week after their child is born because they simply can't afford to stay home without pay or risk losing their job. I cannot impress upon you enough the cascading harm this potentially can cause to the mother's health, the babies' health and the overall well-being of the family and community.

We must ensure that all moms and dads, all workers no matter who they work for, have access to paid family leave, not only for new parents, but also for families taking care of critically ill children, or other relatives, or recovering from their own serious illnesses. This is a human issue.

I urge our policymakers to realize that investments in family leave and early childhood are returned to us 10 fold by a more stable, successful and prosperous society. Navigating the stressful patchwork system of maternity leave has changed my life and now I hope to improve this foundation of society as part of my life's work.

In the end, my former employer failed to recognize that taking care of its staff, not fear or money, garners loyalty among employees. All working families should have access to paid family leave. And if businesses want to boost productivity, they should realize that investing in employees' work-family balance is the key to success. Just ask my current employer.