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The Need for Short Term Time Off

Short Term Time Off (STO) refers to job-protected time away from the workplace (generally 5 days or less) to address anticipated or unexpected issues of limited duration. STO may be scheduled or unscheduled, depending on the underlying need. STO enables workers to address the routine and emergency situations that occur in everybody's lives.

The need for STO may arise, for example, because a worker or worker's child is sick or has a routine doctor's appointment, because a worker has to wait for the plumber or apply for benefits or go to court, or because a worker needs to attend a school conference or a religious event or finish a term paper.

While all workers will need STO at some point, the need for STO is compounded by the changing demographics of our nation's workforce.

- ► In 1970, almost two-thirds of married couples, 18-64 years of age, had one spouse at home, available to handle many of the families' routine and emergency needs. By 2000, 60% of married couples had both spouses in the workforce.¹
 - Among two-parent families, well over half with pre-school children have both parents working. For families with children ages 6-17, two thirds of these families have both parents working.²
- ► Total work hours for dual-earner couples are expanding. In 1970, couples worked a combined average of 52.5 hours per week. Now, couples work a combined average of 63.1 hours per week and almost 70% of them work more than 80 hours per week.³
- Workers are increasingly likely to be both working and providing care to a friend or family member.
 - Currently, 59% of those caring for a relative or friend work and manage caregiving responsibilities at the same time.⁴ Of these working caregivers, 62% said they have had to make some work-related adjustments in order to help the person they care for and 54% report having had to go into work late, leave early, or take time off during the day to provide care.⁵
 - About 10% of households that have one or more persons aged 30-60 are dual-earner, sandwich generation couples. These couples are struggling to balance work as well as caring for both aging parents and their own children.⁶

^{*}Workplace Flexibility 2010 has developed several new terms – including "Short Term Time Off" – in order to advance the policy discussions regarding workplace flexibility issues. The research, however, is based on more traditional paradigms, such as "flexible work options" or "leave policies." As a result, there is sometimes an imperfect match between the existing data and WF2010's short term time off rubric. This fact sheet attempts to tease out the data under our new rubric.

Expanding longevity and ongoing interest and need are prompting more older people to stay in the workforce. By 2008, 1 out of every 6 workers will be over 55; by 2015, workers 55 and over will constitute 20% of the total workforce. Because of health and care-giving concerns, these workers are likely to have significant need for STO.

The great majority, 92%, of American workers express concern that they have insufficient flexibility in their schedules to take care of family needs (such as caring for a sick child or parent or attending school functions).⁸

- ► More than 1/3, or 37%, of wage and salaried workers say it is somewhat or very hard to take time off during the workday for personal or family reasons.⁹
 - More than 1 in 7, or 15%, of workers use vacation time to meet family responsibilities including illness, care-taking, and funerals.¹⁰
 - 54% of the wage and salaried workforce with children say they have no time off to care for sick children without losing pay, having to use vacation days, or fabricating an excuse.
 - 17% of workers practice presenteeism, or going to work when ill, in order to save their sick days so they can stay home when their children are sick.¹²
- ► Even as the need appears to be growing, a recent survey indicates that the amount of paid vacation, paid sick days, paid time off plans, and paid personal days may be decreasing.¹³

Currently, STO is provided by employers under a variety of employer-sponsored benefits and government regulations. However, access to STO varies greatly between and within organizations depending on an organization's size and industry, and a worker's occupation, employment status, and socio-economic status.

For example, a recent survey conducted by the Society for Human Resource Management found the following:

Employer* Provision of STO Benefits by Organization Size (SHRM, 2004)14						
STO Benefit	Total Surveyed Employers Offering Benefit (in percent)	Small Employers (0-99 employees) (in percent)	Medium Employers (100-499 employees) (in percent)	Large Employers (500 and over employees) (in percent)		
Paid time off plan (set number of days for sick, vacation, and personal days, all in one plan)	29	35	24	27		
Paid Holidays	99	99	100	99		
Paid Vacation (not part of a paid time off plan)	68	61	73	68		
Paid Sick Days (not part of a paid time off plan)	57	49	63	68		
Short-Term Disability	81	75	82	91		
Paid Family Leave (paid leave for an employee's serious medical condition or to care for a parent or child)	24	23	23	31		
Paid Bereavement Leave (a set number of days per occurrence of a death in the family**)	90	89	88	93		
Paid Personal Days (not part of a paid time off plan)	34	28	36	39		

^{*}Participating organizations included approximately 425 private and 35 public employers who on average employ 500 workers. **The number of days is, in some cases, dependent upon the employee's relationship to the deceased.

A somewhat older survey conducted by the Bureau of Labor Statistics provides insight into differential access to STO benefits across public and private sectors.

Percent of Employees With STO Benefits By Sector and Employment Status (BLS, 1998; 1999)						
	Private Sector ¹⁵		Public Sector*: State & Local Government ¹⁶			
STO Benefit	Full-Time Employees (in percent)	Part-Time Employees (in percent)	Full Time Employees (in percent)	Part-Time Employees (in percent)		
Paid Holidays	87	36	73	31		
Paid Vacation	90	43	67	19		
Paid Sick Days	63	19	96	43		
Short-Term Disability	43	15	20	9		
Paid Bereavement Leave (a set number of days per occurrence of a death in the family***)	**	**	65	38		
Paid Personal Days	**	**	38	18		

^{*}The public sector data include employees in their early years of service (who may not yet be eligible for benefits).

- Analysis of BLS and other nationally representative data albeit limited to whether employees have access to designated paid sick leave provides an example of the variation in access to STO.
 - 59 million workers, or 49% of American workers, have no designated paid sick leave coverage.¹⁷
 - Among full-time workers, 38 million (40%) do not have access to designated paid sick days.¹⁸
 - Among part-time workers, 21 million (84%) do not have access to designated paid sick days.¹⁹
 - Only one out of three parents has designated paid sick days consistently while they work.²⁰
- Access to STO varies by gender.
 - 45% of women and 32% of men lack vacation days.²¹
 - 40% of women and 30% of men lack both sick days and vacation days.²²
 - Only 76.2% of working mothers and 83.5% of working fathers have access to any form of fully paid leave.²³

^{**}This data was not available for this sector during this time period.

^{***}The number of days is, in some cases, dependent upon the employee's relationship to the deceased.

- Access to STO varies by income.
 - Those in the bottom 25% of the wage bracket are three times less likely as workers in the top 25% of the wage bracket to have paid sick days.²⁴
 - Only 46% of the poor and 41% of welfare recipients have access to any paid leave.²⁵
 - Among employed parents, high-wage employees are more than twice as likely as low wage employees to be able to take time off without penalty to care for their sick children.²⁶
- Access to STO varies by industry and job status.
 - For example according to one analysis, access to paid sick leave varies widely by industry—
 from a low of 14% of workers (in the accommodation and food service industries) to a high of
 nearly 90% of workers (in utilities, educational services, and government).
 - Workers in professional occupations are almost twice as likely to have access to paid sick leave as service workers, machine operators, and other blue-collar employees.²⁸

Percent of Non-federal Workers with Paid Sick Leave by Industry, 1996-1998				
Industry	Percent of Workers with Paid Sick Leave (in percent)			
Utilities	88			
Educational Services	88			
Government (state & local)	87			
Financial Activities	73			
Information	69			
Natural resources	63			
Health care and social assistance	61			
Wholesale trade	57			
Transportation and warehousing	52			
Professional and business services	52			
Retail trade	43			
Art, entertainment, and recreation	40			
Manufacturing, durable	38			
Manufacturing, non-durable	36			
Other service	31			
Construction	27			
Accommodation and food service	14			

- ► Access to STO varies by reason for which time off is needed.
- ► 55% of organizations in a recent national survey indicated that they allow all or most employees to take time off for education/training to improve their skills.²⁹
 - 88% of employers report allowing employees to take time off for school/child care functions.³⁰
 However, in a separate survey, parents report they report facing serious challenges arranging for attendance at school and parent-teacher meetings.³¹

(Endnotes)

- Jacobs J.A., & Gerson, K. (2004). The Time divide: work, family, and gender inequality. Cambridge, MA: Harvard University Press, p. 43. (Nationally representative of non-institutionalized population 16 and over; based on authors' analysis of CPS data)
- U.S. Department of Labor (2005). Employment characteristics of families summary. Washington, D.C.: Bureau of Labor Statistics. Retrieved September 2005, from http://www.bls.gov/news. release/famee.nrO.htm (Nationally representative of non-institutionalized population 16 and over; data is derived from the CPS)
- Jacobs, J.A., & Gerson, K. (2004). The time divide: Work, family, and gender inequality. Cambridge, MA: Harvard University Press, p. 44. (Nationally representative of non-institutionalized population 16 and over; from authors' analysis of CPS data)
- National Alliance for Caregiving and AARP (2004). Caregiving in the U.S. Bethesda, MD: Author, p. 12. Retrieved December 2005, from http://www.caregiving.org/04finalreport.pdf. (Based on nationally representative survey which then identified 'caregivers' as those who are:

 a) 18 years or older, b) living in the U.S., and c) providing one or more Activities of Daily Living (ADL) or Instrumental Activities of Daily Living (IADL) for someone 18 years of age or older)
- National Alliance for Caregiving and AARP (2004).p. 13.

- 6 Neal, M.B., & Hammer, L.B. (n.d.). Final report, dual earner couples in the sandwich generation: How they manage their work and family demands. Portland, Oregon: Portland State University, Institute on Aging. Retrieved July 2005, from http://www.sandwich.pdx.edu/finalreport.pdf (Cohort study of 'sandwiched couples' conducted in three waves; based on locally held focus group data and national survey data (N = 309 couples); sandwich couples were defined as those where: a) the couple had been married or living together for at least one year; b) one person in the couple worked at least 35 hours per week and the other worked at least 20 hours per week; c) there were one or more children 18 years of age or younger living in the home at least 3 days a week; d) all together, one or both members of the couple spent a minimum of three hours per week caring for one or more aging parents or parents-in-law; and e) the couple had a combined household income of \$40,000 or more).
- U.S. Census Bureau, Population Division, Population Projections Branch (2000). National population projections, summary files: Projections of the total resident population by 5-year age groups and sex with special age categories, middle series, 2001–2005, 2006–2010, 2016– 2020, and 2025–2045. Washington, D.C.: Author. Retrieved June 2005, from http://www.census. gov/population/www/projections/natsum-T3.html. (Nationally representative)
- University of Connecticut and Rutgers University, Center for Survey Research and Analysis and John J. Heldrich Center for Workforce Development (1999). Work and family: How employers and workers can strike the balance. Storrs, Connecticut & New Brunswick, New Jersey: Author, p. 2. (Nationally representative of adult workforce; based on survey of 1,000 members of workforce stratified according to U.S. Bureau of Census data)

- Galinsky, E., Bond, J.T., & Hill, E.J. (2004). Workplace flexibility: What is it? Who has it? Who wants is? Does it make a difference? New York: Families and Work Institute, p. 14. (Nationally representative of workers; based on the National Study of the Changing Workforce survey of 2,810 wage and salaried employees)
- Galinksy, E., Bond, J.T., Kim, S.S., Backon, L., Brownfield, E., &t Sakai, K. (2005). Over work in America: When the way we work becomes too much. New York: Families and Work Institute, p. 37. (Nationally representative of U.S. adults aged 18 and older who are employed full or part time; based on survey of 1,003 adults and stratified to U.S. Census Bureau data)
- ¹¹ Galinsky, E., Bond, J.T., & Hill, E.J. (2004). p. 16.
- ComPsych Corporation (2005, March). Press Release: Working While Sick Continues to Pervade U.S. Workplaces. Chicago, IL: Author. Retrieved July 2005, from http://www.compsych.com/ jsp/en_US/core/home/pressReleasesList2005. jsp?cid=92#. (Cohort survey; based on results of survey of 1,000 ComPsych client companies)
- The authors do express the caveat that this change might be accounted for by a change in methodology of the survey. Society for Human Resource Management (SHRM) (2004). 2004 Benefits survey report. Virginia: Author, p. 47. (Cohort study; this is based on a survey of human resource representatives from 459 member organizations from both the public and private, for-profit and not-for profit sectors)
- ¹⁴ Society for Human Resource Management (SHRM) (2004). p. 5, p. 43.

- Though the data here is presented as the percentage of employees with access to these benefits, these numbers are based on a survey of private establishments and their estimates of the percentage of employees in their organization that are covered. U.S. Department of Labor (2001). National compensation survey: Employee benefits in private industry in the United States, 1999. Washington, D.C.: Bureau of Labor Statistics. (Nationally representative of private industry workers; BLS data acquired through National Compensation Surveys)
- Though the data here is presented as the percentage of employees with access to these benefits, these numbers are based on a survey of state and local governments and their estimates of the percentage of employees in their organization that are covered. U.S. Department of Labor (2000). *Employee benefits in state and local governments, 1998.* Washington, D.C.: Bureau of Labor Statistics, p. 4, p. 117. (Nationally representative of state and local government employees; BLS data acquired through National Compensation Surveys)
- Lovell, V. (2004). No time to be sick: Why everyone suffers when workers don't have paid sick leave. Washington, D.C.: Institute for Women's Policy Research, p. 6. Retrieved September 2004, from http://www.iwpr.org/pdf/B242.pdf. (Nationally representative of non-federal employees; based on author's analysis of BLS data acquired through the National Compensation Surveys from 1996–1998)
- ¹⁸ Lovell, V. (2004). p. 7.
- ¹⁹ Lovell, V. (2004). p. 7.
- Heymann, S.J., Earle, A., & Egleston, B. (1996). Parental availability for the care of sick children. *Pediatrics*, 98(2), 226–230. (Nationally representative sample of men and women 30–37 years old; based on authors' analysis of National Longitudinal Survey of Youth)

- ²¹ Heymann, J. (2000). p. 152.
- ²² Heymann, J. (2000). p. 152.
- Ross Phillips, K. (2004). Getting time off: Access to leave among working parents. Washington D.C.: The Urban Institute, p. 2. (Nationally representative of non-institutionalized civilian population under 65, based on Urban Institute's Analysis of 2002 National Survey of America's Families)
- ²⁴ Lovell, V. (2004). p. 13.
- ²⁵ Ross-Phillips, K. (2004). p. 4.
- ²⁶ In this case, "penalty" would be considered losing pay, losing vacation days, or having to make up an excuse for absence if time off was needed to care for an ill children. In, Galinsky, E., Bond, J.T., & Hill, E.J. (2004). p. 16.
- ²⁷ Lovell, V. (2004). p. 8.
- National Research Council and the Institute of Medicine (2001). Working Families and Growing Kids, Caring for Children and Adolescents. Smolensky, E., and Gootman, J.A. (eds.). Committee on Family and Work Policies. Washington, D.C.: The National Academies Press. p.237.

- Bond, J.T., Galinsky, E., Kim, S.S., & Brownfield, E. (2005, October). 2005 National study of employers. New York, New York: Families and Work Institute, p. 5. (Nationally representative of employers with 50 or more employees; based on survey of 1,092 employers with 50 or more employees)
- Galinksy, E. & Bond, J.T. (1998). The 1998 Business work-life study executive summary. New York: Families and Work Institute, p. iii. (Nationally representative of employers with 100 or more employees; based on representative survey of employers of this size)
- ³¹ Heyman, J. (2000). p. 53-57.