



Georgetown University Law Center
Scholarship @ GEORGETOWN LAW

2008

Short Term Time Off: What We Know

Anna Danziger
Urban Institute

Shelley Waters Boots
Urban Institute

Prepared on behalf of Workplace Flexibility 2010 by Anna Danziger and Shelley Waters Boots on behalf of the Urban Institute.

This paper can be downloaded free of charge from:
<https://scholarship.law.georgetown.edu/legal/47>

This open-access article is brought to you by the Georgetown Law Library. Posted with permission of the author.
Follow this and additional works at: <https://scholarship.law.georgetown.edu/legal>



Part of the [Labor and Employment Law Commons](#), [Labor Relations Commons](#), and the [Public Policy Commons](#)

Short Term Time Off: What We Know

Short Term Time Off (STO) refers to job-protected time away from the workplace to address anticipated or unexpected needs of limited duration. STO may be scheduled or unscheduled, depending on the underlying need. STO enables workers to address both the routine and emergency situations that occur in everyday life.

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 public 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.

A. Changing Demographics

- ❖ 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.ⁱ In 2007, nearly 70% of married couples had both spouses in the workforce.ⁱⁱ
 - Among two-parent families, well over half with children younger than six have both parents working. For families with children ages 6-17, over two thirds of these families have both parents working.ⁱⁱⁱ
- ❖ Total work hours for dual-earner couples are increasing. 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.^{iv}
 - Although work hours are increasing, one survey found that Generations X and Y (workers under age 37) are more likely to place a higher priority on family, and a lower priority on work than the older Baby Boomer generation (ages 38-57).^v
- ❖ As sole caregivers to their children, single parents often have increased child care responsibilities and thus increased need for workplace flexibility. Over time, as the proportion of single-parent families has increased, the number of children living with two married parents has decreased, from 85 percent in 1969, to 67 percent in 2006.^{vi}

- ❖ 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.^{vii} 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.^{viii}
 - 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.^{ix}
 - A recent study found that one in four employees currently cares for an older or disabled adult.^x
- ❖ Expanding longevity, ongoing interest, and economic necessity are prompting workers to stay in the workforce longer. By 2010, 13 percent of the population will be over the age of 65; by 2020, about 1 out of 6 Americans will be over 65.^{xi} Because of health and other concerns, these workers are likely to have significant needs for STO.

B. The Need for Short Term Time Off

- ❖ 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).^{xii}
- ❖ More than one-third, 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.^{xiii}
- ❖ More than one in seven, or 15%, of workers use vacation time to meet family responsibilities including illness, care-taking, and funerals.^{xiv}
- ❖ Fifty-four percent 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.^{xv}
- ❖ Eighty-three percent of workers practice presenteeism, or going to work when ill, and 21 percent explicitly do so in order to save their sick days so they can stay home when their children are sick.^{xvi}

C. Access to Short Term Time Off

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, socio-economic status, and gender.

Access to STO varies by firm size

- ❖ Within the private sector, workers in larger firms, including 100 or more employees, are considerably more likely to have access to paid sick leave and paid personal leave:

NOTE: While Workplace Flexibility 2010 does not consider vacations to be STO, it is included in the chart below since many employees use vacation time to meet STO needs. In addition, while family leave is considered as EXTO by WF2010, it is also included in the charts below for comparison purposes. The data in Table 1 is from the Bureau of Labor Statistics.

	Paid Sick Leave	Paid Vacations	Paid Personal Leave	Family Leave	
				Paid	Unpaid
1-99 employees	48	71	27	6	75
100 or more employees	67	85	51	10	93

Note: Response categories are not mutually exclusive, and respondents can report having access to multiple time benefits, for example both paid personal leave and paid sick leave. This data does not show how many employees who work for companies of these sizes have access to neither sick leave nor personal leave. This BLS data does not break out the establishment size any further than the 1-99 and 100 or more group.

- ❖ Similarly, a recent survey of almost one thousand human resources professionals and members of the Society for Human Resource Management, representing public and private employers, found differential access by employer size:

<u>STO Benefit</u>	Small Employers (1-99 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)	61	54	64
Paid Vacation	78	84	83
Paid Sick Days	67	74	77
Paid Personal Days	44	47	51

Note: Data from the Society for Human Resource Management is based on a voluntary survey of approximately 1,000 of its association members, including public and private employers. It is not nationally representative.

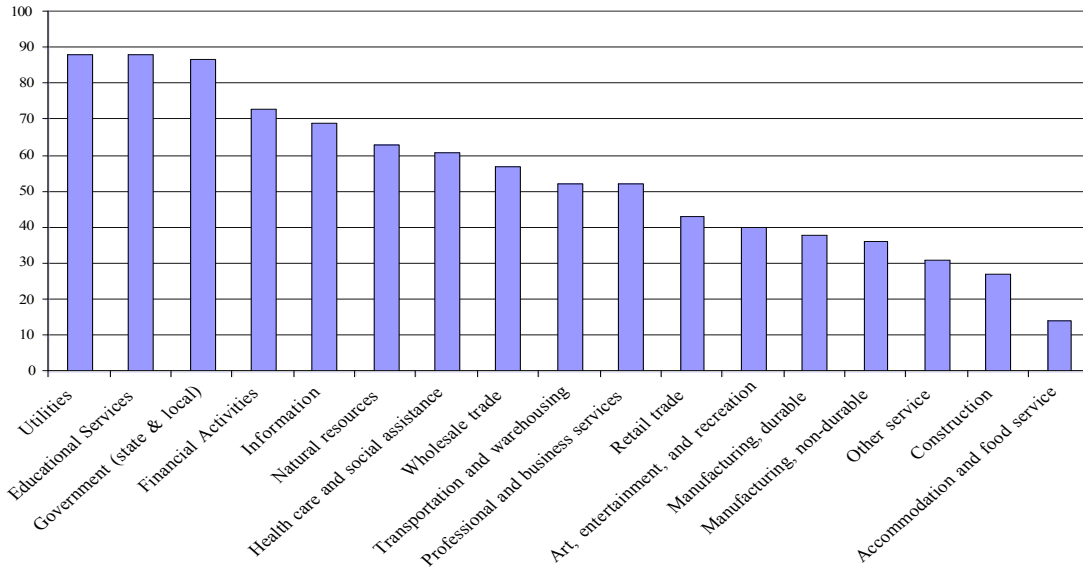
Access to STO varies by industry and job status.

- ❖ There is disparate access to STO according to worker characteristics. The majority of managerial and professional workers have access to some form of STO, while access to these benefits among workers in other job categories is considerably lower.
- ❖ Data from the Bureau of Labor Statistics, March 2007 National Compensation Benefits Survey, provides the following information based on types of jobs:

	Paid Sick Time	Paid Vacation Time	Paid Personal Time	Family Leave	
				Paid	Unpaid
Management, professional, and related	80	87	57	14	90
Service	39	59	26	5	79
Sales and Office	63	80	40	9	84
Natural resources, construction, and maintenance	44	75	27	6	75
Production, transportation, and material moving	47	83	33	4	84

- ❖ Work by the Institute for Women’s Policy Research using data derived from BLS on designated paid sick days indicates that access to such 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).^{xx}

Chart 1: Percent of all non-federal civilian workers with paid sick leave by industry, 1996-1998



- ❖ According to the BLS, 23 percent of private sector workers lack any paid vacation time. For the 77 percent of the workforce who receives vacation, the average number of days, after one year of service, is 8.9. However, the number of paid vacation days for employees, after one year of service, varies considerably by occupation type. To the extent they receive paid vacation, employees in management and professional occupations receive an average of 12.2 days of paid vacation days per year, whereas employees in service occupations receive an average of 7.9 days, and employees in natural resources, construction, and maintenance, production, transportation, and material moving occupations receive an average of 7 days of vacation.^{xxi}

Access to STO varies by income

- ❖ BLS Data from the 2007 National Compensation Survey show that lower-income workers are less likely to have access to paid time off than higher-income workers.

	Paid Sick Time	Paid Vacation Time	Paid Personal Time	Family Time	
				Paid	Unpaid
Average wage less than \$15/hour	44	69	30	5	80
Average wage \$15/hour or higher	72	88	48	11	88

- ❖ Furthermore, data from the Urban Institute and the Families & Work Institute indicate that:
 - Only 46% of the poor and 41% of welfare recipients have access to any paid leave, including STO.^{xxiii}
 - 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.^{xxiv}

Access to STO varies by gender

- ❖ While women are more likely to be the primary caregivers, even in married-parent families, women are less likely to have access to STO.
 - Almost 25% of all working mothers and 17% of working fathers do not have access to paid time off in any form.^{xxv}
 - 45% of women and 32% of men do not have access to vacation days.^{xxvi}
 - 40% of women and 30% of men do not have access to either sick days or vacation days.^{xxvii}

Note: This data includes both full-time and part-time employees. Women are more likely to be working part-time than men.

The data on access to STO can sometimes be difficult to parse for policy purposes

- ❖ Having access to paid sick leave days and paid personal leave days are arguably the most important factors in being able to meet short-term and often, unpredictable needs for time off.
- ❖ However, data that is publicly available from the Bureau of Labor Statistics have some significant limitations. Although the BLS has collected data on access to specific types of time off, it has not published all of it. Researchers must apply to the BLS for access to the data and then analyze the numbers themselves to answer more detailed questions.

- ❖ Researchers, including those at the Institute for Women’s Policy Research, have taken the BLS data on designated paid sick days and have come up with the following data points that are often used in policy discussions:
 - 59 million workers, or 49% of American workers, have no designated paid sick leave coverage.^{xxviii}
 - Among full-time workers, 38 million (40%) do not have access to designated paid sick days.^{xxix}
 - Among part-time workers, 21 million (84%) do not have access to designated paid sick days.^{xxx}

C. Conclusions

The data in this Fact Sheet provide some glimpse into the availability (or non-availability) of formal paid time-off options. However, apart from the limitations already noted, we do not have good quantitative data on what actually *happens* when a worker without official paid sick time off gets sick or has to care for a family member who is sick.

For example, some of these workers may simply be given the day off, even though they do not have official access to “time off benefits” reported in a survey. We presume that a significant number of workers without designated paid sick time or paid personal time who “call in sick,” are not paid for the day (or hours) they do not work (assuming they are hourly workers), and they do not lose their jobs. Conversely, we presume there are employees who call in sick once or twice, and then are told not to bother coming back to work.^{xxxi} **Anecdotal examples of both types of situations exist** – but there is no good quantitative data on point.

Overall, the data seem to indicate that there are a significant number of American workers who lack sufficient job-protected, paid STO. The bottom-line question for WF2010 is: can we envision a policy system that will create better coverage for STO needs than currently exists, without unduly harming those parts of the system that are working well?

This fact sheet was produced through a non-exhaustive survey of selected websites, journal articles and research reports on Short Term Time Off. Some data presented are unpublished findings and analysis by Urban Institute researchers. We welcome feedback on additional data and information that could be included here.

Updated for Workplace Flexibility 2010 by Anna Danziger and Shelley Waters Boots on behalf of the Urban Institute. July 2008.

-
- ⁱ 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)
- ⁱⁱ Urban Institute. 2008. Unpublished Calculations from March 2007 CPS data.
- ⁱⁱⁱ U.S. Department of Labor (2008). *Employment characteristics of families summary*. Washington, D.C.: Bureau of Labor Statistics. Retrieved June 2008, from <http://www.bls.gov/news.release/famee.nr0.htm> (Nationally representative of non-institutionalized population 16 and over; data is derived from the CPS)
- ^{iv} 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)
- ^v Families and Work Institute (2004). *Generation and Gender in the Workplace*. New York, NY: Families and Work Institute.
- ^{vi} Childtrends Databank, (2008). "Family Structure." Retrieved 7/10/2008. <http://www.childtrendsdatabank.org/indicators/59FamilyStructure.cfm>
- ^{vii} 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 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)
- ^{viii} National Alliance for Caregiving and AARP (2004). p. 13.
- ^{ix} 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).
- ^x Robbins, M. June 10, 2008. "A quarter of U.S. Employees care for an older worker. Employee Benefit News. Retrieved on June 16, 2008, <http://ebn.benefitnews.com/asset/article-print/605221/printpage.html>.
- ^{xi} U.S. Census Bureau, 2004, "U.S. Interim Projections by Age, Sex, Race, and Hispanic Origin," Retrieved June 2008, <http://www.census.gov/ipc/www/usinterimproj/>.
- ^{xii} 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)
- ^{xiii} Galinsky, E., Bond, J.T., & Hill, E.J. (2004). *Workplace flexibility: What is it? Who has it? Who wants it? 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)
- ^{xiv} Galinsky, E., Bond, J.T., Kim, S.S., Backon, L., Brownfield, E., & 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)
- ^{xv} Galinsky, E., Bond, J.T., & Hill, E.J. (2004). p. 16.

-
- ^{xvi} ComPsych Corporation (2007, December). *Press Release: Poll: 83 Percent of Workers Say They Work While Sick, Up from 77 Percent Previously*. Chicago, IL: Author. Retrieved June 2008, from http://www.compsych.com/jsp/en_US/core/home/pressReleasesList2007.jsp?cid=422# . (Cohort survey; based on results of survey of 1,000 ComPsych client companies)
- ^{xvii} U.S. Bureau of Labor Statistics (March 2007 National Compensation Benefits), table 19.
- ^{xviii} Society for Human Resource Management (SHRM) (2008). *2008 Employee Benefits*. Virginia: Author, p. 46. (Cohort study; this is based on a survey of human resource representatives from 996 member organizations from both the public and private, for-profit and not-for profit sectors)
- ^{xix} U.S. Bureau of Labor Statistics (March 2007 National Compensation Benefits), table 19.
- ^{xx} 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. 8. 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).
- ^{xxi} U.S. Bureau of Labor Statistics (August 2005), at 24.
- ^{xxii} U.S. Bureau of Labor Statistics (March 2007 National Compensation Benefits), table 19.
- ^{xxiii} Ross-Phillips, K. (2004). p. 4.
- ^{xxiv} 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 child. In, Galinsky, E., Bond, J.T., & Hill, E.J. (2004). p. 16.
- ^{xxv} 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)
- ^{xxvi} Heymann, Jody. 2000. *The Widening Gap: Why America's Working Families Are in Jeopardy—and What Can Be Done About It*. New York, NY: Basic Books. p. 152.
- ^{xxvii} Heymann, J. (2000). p. 152.
- ^{xxviii} Lovell, V. (2004). p. 6.
- ^{xxix} Lovell, V. (2004). p. 7.
- ^{xxx} Lovell, V. (2004). p. 7.
- ^{xxxi} Williams, Joan (2006), *One Sick Child Away From Being Fired: When "Opting Out" Is Not an Option*. San Francisco, CA: University of California Hastings School of Law.