

FACT SHEET

What is the Healthy Families Act?

- **HFA Defined:** The Healthy Families Act (HFA) allows workers to earn up to seven days per year of paid, job-protected time off to recover from illness, to care for a sick family member, or to seek preventative health care.
- **Families Defined:** HFA ensures that *all* families are eligible for paid sick days. Employees can use it to care for spouses, domestic partners, biological, foster, or adopted children, stepchildren, children of domestic partners, legal wards, or children of a person standing *in loco parentis* (a parent without a legal or biological relationship to his or her child).
- **Protections Provided:** HFA provides a level of economic security to working families – ensuring they are not forced to make impossible choices between needed income and employment and caring for their health or the health of their family. HFA also protects employers by ensuring employees are in good health, can access preventive care, and are not distracted by unmet family health problems which, in turn, helps businesses by promoting productivity and reducing employee turnover.

Why are Paid Sick Days Necessary for LGBT Families?

- **Economic Stability and Job Security Strengthens Our Families:** The ability to earn a living and the economic stability to provide for a dependent partner and children are the foundations of a happy, healthy family. In unsure economic times, while families are struggling to remain employed, pay their bills, and meet their basic needs, LGBT employees are especially vulnerable to unfair hiring and firing practices. Currently, there is no federal law that expressly protects people from employment discrimination based on their sexual orientation or gender identity. Only 21 states provide explicit sexual orientation protections to workers and only 11 of those states provide gender identity protections. This patchwork of state laws leaves 53% of LGBT parents raising kids with no protections against being fired simply for who they are. The HFA will provide protections to LGBT workers by enabling them to care for the basic health needs of themselves and their families without fear of putting their jobs at risk or losing vital pay.
- **LGBT Families Lack Recognition:** Approximately 1 million LGBT parents are raising 2 million children in the U.S. In many states, LGBT parents are unable to create legal relationships with their own children. Additionally, only 5 states and the District of Columbia permit same-sex marriage, while only eleven additional states offer some kind of relationship recognition (i.e. civil unions or domestic partnerships) for same-sex couples. This patchwork of state laws leaves LGBT families vulnerable because many employers do not consider same-sex partners or their children as “family” for benefits purposes. The HFA would clarify the definition of family for sick days purposes and allow LGBT employees to take leave to care for their partners and children without fear of discrimination or lost pay.
- **LGBT Families of Color Are Especially Vulnerable:** Nearly 40% of African-Americans and almost half of Latinos lack access to paid sick days. Women of color are paid significantly less than the national average. According to the 2010 census, African-American and Latino LGBT same-sex couples are more likely than their white counterparts to struggle economically while they are twice as likely as white couples to be raising children (38% of African-American; 27% of Latino; 16% of white same-sex couples). The HFA would alleviate some of the disproportionate impact on LGBT families of color by allowing them access to paid sick days to care for their families without fear of termination or lost wages.
- **Transgender Workers Experience Pervasive Discrimination:** Approximately 97% of transgender people nationwide experience workplace discrimination and in 39 states it’s legal to fire someone because they identify as transgender. This discrimination is magnified when a transgender employee needs to access sick days for trans-related healthcare. Providing paid sick days is critical for transgender workers because it allows them to tend to their health needs without fear of being fired simply for who they are.

For more information contact:

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