



HUMAN RIGHTS CAMPAIGN FOUNDATION

# PAID LEAVE IS AN LGBTQ ISSUE

Every year, millions of Americans face significant events requiring them to take time off from work, including:



### Parental leave

Welcoming a child through childbirth, surrogacy, adoption, foster care, or other placement



### Family care leave

Caring for a loved one with a serious medical condition including serving as a caregiver for a spouse, child, or parent



### Medical leave

Managing a serious health condition undergoing treatment for and/or recovering from a physical or mental illness, injury, or impairment

Under the Family and Medical Leave Act of 1993 (FMLA), many American working people are eligible to take unpaid leave for the above reasons with no threat of job loss. However, FMLA only covers 60 percent of the U.S. workforce,<sup>1</sup> and any leave taken is unpaid.

## HRC's groundbreaking survey demonstrates the need for paid leave protections inclusive of all families.

In February 2018, the HRC Foundation published the results of a nationwide survey of 5,433 LGBTQ adults, exploring their experiences with paid and unpaid leave. Key findings include:

### Access to leave is critical:

**88%**

of respondents have previously taken leave, considered taking leave, and/or anticipate taking leave within the next five years. However, most LGBTQ employees still do not have access to paid leave.

### Parental leave policies often fail to support LGBTQ parents.

**Only 48%**

report that their employer's policies cover new parents of all genders equally. **Just 49 percent** say that the policies are equally inclusive of the many ways families can welcome a child, including childbirth, adoption, or foster care.

### LGBTQ people face elevated barriers to family care leave.

**Only 20%**

have access to paid family care leave. LGBTQ working people may not have the ability to take time off for partners, children, parents, or other loved ones depending on their legal relationship and whether their employer chooses to recognize their relationships.

### Medical leave protects LGBTQ working people facing serious health challenges.

**50%**

of respondents have previously taken medical leave — a figure that rises to **65 percent** among those over the age of 50.

<sup>1</sup> United States Department of Labor. "FMLA is Working." [https://www.dol.gov/whd/fmla/survey/FMLA\\_Survey\\_factsheet.pdf](https://www.dol.gov/whd/fmla/survey/FMLA_Survey_factsheet.pdf)



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LGBTQ people face heightened challenges with respect to leave, including unique medical needs, unequal relationship recognition, and unjust employment discrimination.



of respondents feel an increased responsibility to care for loved ones whose own families have rejected them because of their LGBTQ identities.



respondents would be afraid to request time off to care for a loved one because it might disclose their LGBTQ identity.



Among respondents who know someone who needed to take time off for HIV-related health care, **66 percent** say that the person faced barriers.



Respondents also report challenges for transgender employees who seek leave for transition-related care, including denial of time off and harassment from colleagues.

## LGBTQ working people share their stories:

**I** requested time off from work to travel out-of-state to access hormone replacement therapy. Even though I asked my supervisor about it in confidence, word spread quickly around the office. **People I barely knew suddenly had the intimate details of what was going on with my own body.** I faced invasive questions and extreme harassment for something that should never have been shared.”  
- *Non-binary survey respondent living in the South*

**I** My partner's child attempted suicide, and I needed to be there for both of them. But upon returning to work, I was asked to bring in my domestic partnership paperwork or face discipline for my absence. I know other straight colleagues at work — married and unmarried — who have regularly taken time off to care for a partner's child, and their requests went unchallenged. I was only away for one afternoon.”  
- *Bisexual survey respondent living in the West*

**The right to paid leave is gaining momentum, bolstered by the voices of LGBTQ working people and our families.**

## How you can help:

- **Raise awareness:** Educate yourself, colleagues and loved ones about the laws regarding paid and unpaid leave in your state and municipality. Share your own stories with others.
- **Speak out in support of inclusive paid leave policies:** Find out where your elected officials stand on paid leave and LGBTQ equality. If you are an employer, join efforts to ensure paid leave for all Americans and consider providing inclusive paid leave policies for your own organization.

**No one should have to choose between the people they love and the job they need.**

To learn more about HRC's efforts in paid leave, visit [Supporting Paid Leave](https://hrc.org/campaigns/supporting-paid-leave) (hrc.org/campaigns/supporting-paid-leave)