



June 30, 2009

Dear Senators Lincoln, Crapo, Dodd, Collins, Kohl and Voinovich:

Thank you for the opportunity to comment on the important topic of workplace flexibility. We appreciate the efforts you are making to find common-ground solutions that work for both employees and employers.

The International Public Management Association for Human Resources (IPMA-HR) represents the interests of thousands of human resources professionals working in federal, state and local government. Our members are the ones with direct responsibility for implementing leave and benefit programs.

We frequently hear from our members that employees have sufficient amounts of leave available. An IPMA-HR member survey revealed that 95 percent of our members offer paid sick leave and 94 percent offer paid vacation time. (IPMA-HR benchmarking survey results 2001).

The Bureau of Labor Statistics (BLS) reports that 94 percent of state and local workers have access to unpaid family leave. (See: National Compensation Survey, BLS, March 2008 <http://www.bls.gov/ncs/ebs/benefits/2008/ownership/govt/table21a.htm>) The BLS also recognizes that the nature of state and local employment differs from private sector employers in that educators with a nine-month contract may not have access to formal leave plans.

IPMA-HR understands the need of employees to care for themselves and their families without fear of losing their jobs. Yet we question whether or not another leave mandate is necessary or desirable at this time. The economic downturn has had a significant negative impact on state and local government budgets. A recent member survey revealed that 68 percent of our members had instituted hiring freezes as of May 2009 and 30 percent had conducted lay-offs. State and local governments cannot pass along the costs of additional mandates but rather must increase revenue through taxes or cut services.

Additionally, the Family and Medical Leave Act (FMLA) was recently expanded to include military families and the Americans with Disabilities Act (ADA) was amended to cover more employees under the definition of disability. With these expansions in place, additional leave may not be necessary at this time.

Should you proceed with expanding leave at this time we ask that you consider the unique nature of public sector employment. Several occupations such as firefighter, law enforcement officer as well as educator are by their nature flexible. As a result, additional leave mandates may not be necessary.

And, as a human resource association, with members responsible for determining eligibility for leave and processing paper work, we would ask that any steps you take to allow workers more flexibility not unduly burden employers.

Thank you for considering our position. IPMA-HR would welcome the opportunity to further assist you and would be willing to survey our members on various proposals or put you in touch with public sector HR directors. Please feel free to contact me at nreichenberg@ipma-hr.org or (703) 549-7100 if we may be of assistance.

Sincerely,

A handwritten signature in cursive script that reads "Neil E. Reichenberg". The signature is written in black ink on a light-colored background.

Neil E. Reichenberg
Executive Director