



AMERICAN BENEFITS COUNCIL

March 12, 2020

To: Members of Congress

The nation's employers are pursuing multiple strategies to help keep workers, families and communities safe and to address the disruption of daily activity caused by the COVID-19 outbreak. Accordingly, the American Benefits Council ("the Council") commends Congress for also taking decisive action to address the health and related concerns caused by the coronavirus. Legislation expanding workers' access to paid leave is one such important component of a rapid, coordinated and practical response. As Congress proceeds, in order to achieve its objective, it is imperative that any policy enacted permit employers to offer paid leave on a uniform and consistent basis nationwide.

The Council is a Washington D.C.-based employee benefits public policy organization. The Council advocates for employers dedicated to the achievement of best-in-class solutions that protect and encourage the health and financial well-being of their workers, retirees and families. Council members include over 220 of the world's largest corporations and collectively either directly provide or support sponsors of health and retirement benefits for virtually all Americans covered by employer-provided plans.

Most Council member companies have multistate operations, often in all 50 states and numerous municipalities. The development of myriad state and local paid leave laws has been a serious growing problem for employers and employees alike, well before the COVID-19 outbreak. As with all types of employee benefits, Council member companies are at the forefront of comprehensive and innovative programs to provide essential protections to employees and to help them balance personal and work responsibilities. This includes excellent paid leave arrangements. In the context of the COVID-19 outbreak, these programs take on an even greater significance.

As we have repeatedly expressed to Congress, most recently just a few weeks ago in written testimony submitted to the U.S. House of Representatives Ways and Means Committee,¹ rational paid leave policy must enable employers to provide consistent

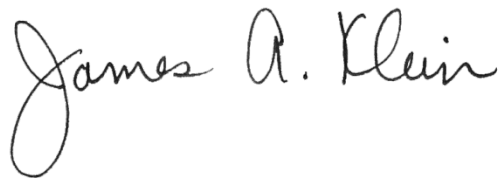
¹ <https://www.americanbenefitscouncil.org/pub/?id=7C05C1A4-1866-DAAC-99FB-1B3D49C0052D>

benefits to workers regardless of where they live or work. This is not just a matter of allowing employers to avoid administrative costs and burdens, which have become truly extraordinary and complex. It is also a matter of fundamental fairness and equity for employees. This is something Congress and the executive branch fully understand, as the recently enacted Federal Employee Paid Leave Act ensures that covered federal employees receive consistent paid leave arrangements. Thus, whatever federal leave policy emerges must ensure that private sector employers are deemed to be in full compliance with state and local requirements.

The coronavirus crisis is causing disruption to lives and commerce innumerable ways. The response must reduce, not exacerbate, chaos and confusion. Moreover, long after the current crisis is behind us, the policies that remain must be sensible and enhance the lives and working conditions for American workers. It is in this spirit that we urge in the strongest possible terms that Congress make certain that private-sector employers, just like the federal government itself, be assured of the ability to provide uniform and consistent leave to their workforce.

The Council stands ready to assist immediately on legislation that you are very appropriately pursuing on an expedited basis to help America's working families, businesses and communities. As always, please let us know how we best can support your important work on behalf of the nation.

Sincerely,

A handwritten signature in black ink that reads "James A. Klein". The signature is written in a cursive style with a large, looping initial "J".

James A. Klein
President