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December 18, 2018

The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Dear Governor Cuomo:

In 2016, we were proud to join you when you signed into law New York's nation-leading paid family leave law, which since January 2018 has given New Yorkers paid, job-protected time off to bond with a new child or care for a seriously ill-loved one and is the pride of the state. Senate Bill 8380A, which is now before you, puts that hard-won program at risk. Though its intent—providing a right to leave when dealing with the loss of a loved one—is laudable, this bill is the wrong way to accomplish this important goal and would have harmful unintended consequences for working families placing too heavy a burden on working families. As advocates who fought for years to enact paid family leave and have helped hundreds of workers to use these benefits, we know firsthand how much paid family leave means to working New Yorkers. For the following reasons, we ask you to stand up for the landmark paid family leave law and veto Senate Bill 8380A.

Costs – entirely borne by workers – will be extremely high. Because paid family leave is 100% worker funded, this bill would impose potentially very high, uncalculated costs on New York workers—costs that will fall especially heavily on low-income workers. The original paid family leave bill was based on the time-tested experiences of other states covering the need for leave when a new child joins the family or there is a need to care for a seriously ill loved one as well as some specific purposes related to military deployment. Costs of the New York law were carefully modeled on use of lengthy leaves for these purposes. In contrast, there have been *no* publicly released estimates of any kind of the increased cost to workers of providing bereavement leave. Because the bill would ultimately provide *up to twelve weeks* of leave for all covered workers who lose a child, parent, grandparent, grandchild, spouse, or domestic partner, these costs could be extremely high.

Administration of the paid leave system is at risk. Because the temporary disability insurance and paid family leave system relies on private insurers to provide required benefits, this bill could cause the system to collapse. Given the high and unpredictable potential cost of providing bereavement benefits for as long a period of time as that given to care for a new child or sick family member, private insurance carriers, who currently provide coverage to the overwhelming majority of covered workers, may no longer be



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willing or able to be part of the system. Although there is a state-created insurance carrier, it currently handles only a small fraction of workers and is ill equipped to take on covering millions more workers without substantial infusions of state funds for massive hiring and training.

There has been no serious estimate of the cost of providing *twelve weeks* of leave for this purpose to workers. While the costs of the paid family leave program were examined and re-examined before passage, no cost estimate has been done of this additional purpose, which will potentially bankrupt the system.

We hope to see further progress on this important issue, because all workers deserve time to deal with the loss of a loved one. However, for the reasons stated above, we respectfully ask you to veto Senate Bill 8380A and protect paid family leave.

Sincerely,

A Better Balance