

Appendix Table 1. Estimated Eligibility for Emergency Paid Family Leave with Varied Levels of Small Employer Participation

Population Subgroup	Estimated EFMLEA Eligibility Among Working Parents			Estimated EFMLEA Eligibility Among All Workers		
	Small Employer Participation Level			Small Employer Participation Level		
	All	Half	None	All	Half	None
Overall	48%	34%	20%	20%	14%	8%
Poverty Status						
Below Poverty	55%	34%	13%	26%	16%	6%
Low Income (100-150% of Poverty)	59%	39%	19%	30%	20%	10%
Poor & Low Income (0-150% of Poverty)	57%	37%	16%	28%	18%	8%
Above 150% of Poverty	47%	34%	21%	20%	14%	9%
Above Poverty	48%	34%	20%	20%	14%	9%
Major Industry						
Agriculture, forestry, fishing, and hunting	83%	50%	17%	33%	20%	7%
Mining	41%	31%	20%	19%	14%	9%
Construction	81%	51%	21%	38%	24%	10%
Manufacturing	46%	36%	26%	21%	16%	12%
Wholesale and Retail Trade	49%	33%	17%	18%	12%	6%
Transportation and Utilities	40%	29%	18%	18%	13%	8%
Information	43%	31%	19%	16%	12%	7%
Financial Activities	46%	31%	17%	21%	14%	8%
Professional and Business Services	63%	42%	20%	27%	18%	9%
Educational and health services	19%	15%	11%	9%	7%	5%
Leisure and hospitality	58%	38%	17%	18%	12%	5%
Other Services	79%	47%	14%	33%	20%	6%
Public Administration	73%	73%	73%	34%	34%	34%
Age						
Age 18-24	48%	32%	17%	4%	3%	1%
Age 25-44	47%	33%	20%	24%	17%	10%
Age 45-64	49%	35%	21%	23%	16%	10%
Metro Area Status						
Not in Metro Area	53%	37%	22%	22%	16%	9%
Central City	48%	33%	19%	18%	13%	7%
Outside Central City	47%	34%	20%	22%	15%	9%
Census Division						
New England	50%	36%	23%	20%	15%	9%
Middle Atlantic	49%	35%	21%	21%	15%	9%
East North Central	46%	34%	21%	20%	14%	9%
West North Central	48%	34%	20%	20%	14%	8%
South Atlantic	47%	33%	19%	19%	14%	8%
East South Central	47%	33%	20%	19%	14%	8%
West South Central	49%	34%	19%	21%	15%	8%
Mountain	46%	33%	19%	19%	14%	8%
Pacific	52%	36%	20%	22%	16%	9%

Technical notes

We estimate eligibility using the public-use microdata from the 2019 Current Population Survey Annual Social and Economic Supplement (CPS ASEC), incorporating the survey design and weights, and the 2018 CPS ASEC for firm size data because the 2019 CPS ASEC does not have an “Under 50” category. We estimate the share of all eligible workers who are in firms with fewer than 50 employees and apply those proportions to the 2019 CPS ASEC eligibility estimates to adjust for assumptions about the share of small employers that participate in the program. Of note, EFMLEA refers to number of employees working for a firm, not an establishment. This distinction is important because firms may have multiple establishments.

Workers are defined as individuals who were in the labor force and employed or had a job but were on leave. Eligible workers were defined as: Workers, with one of more of their “own children” under 18 present in the household (own child as defined by the CPS). We exclude as ineligible hospital and health care services workers (CPS industry classification codes 7970-8290), who are generally considered essential workers with a high likelihood of being excluded from the program by their employers. We also exclude federal employees because the EFMLEA only amended Title I of the FMLA. Most federal employees are instead covered FMLA Title II, so the vast majority would not be eligible. Further, OMB has authority to exclude certain other federal employees.¹

We assume that all schools and child care arrangements are closed. At the time we conducted this analysis, every state had either mandated school closures, or strongly recommended that they close. We recognize that parents of children whose schools are closed as of the summer because the academic year has ended (rather than because of the pandemic) may not be eligible for EFMLEA, but assume that a substantial share of them may nonetheless face continued closure of child care arrangements over the summer. The estimates do not attempt to adjust for the potential differential in closures at the end of the school year. Estimates assume participation by a similar number of small businesses as were in operation prior to the pandemic. We do not adjust for changes in total employment due to COVID-19 (e.g., layoffs, closures, furloughs), or in the number of employers that may have closed temporarily or permanently. One study found that a quarter of businesses with fewer than 500 employees had temporarily closed before April 3, 2020 due to the pandemic, and that 40 percent of the remaining businesses surveyed of similar size predicted they would close by mid-April.² The inability to account for this evolving instability may influence the accuracy of our estimates.

The accompanying issue brief is available at aspe.hhs.gov/pdf-report/emergency-paid-leave-eligibility.

¹ <https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>

² <https://www.uschamber.com/report/special-report-coronavirus-and-small-business>