

Exhibit B5 Detailed Indicator Data: Supporting Working Caregivers (State and Local Policy-Level Details)

States and Localities with Laws that Protect Family Caregivers from Employment Discrimination

The information provided below includes states that received points for having statewide or local laws that protect family caregivers from employment discrimination. States received points for the extent to which a state (or locality) law expressly includes family responsibilities, including care provided to aging parents or family members with an illness or disability, as a protected classification in the context that prohibits discrimination against employees who have family responsibilities.

In the *2020 LTSS State Scorecard*, states with laws that expressly prohibit employment discrimination against family caregivers receive 2.0 points. States with one or more localities that have laws that protect working family caregivers receive 0.60 points. State and local laws that do not expressly define their key term leave room to interpret those laws to protect family caregivers from employment discrimination. States receive 1.0 point for statewide laws with undefined key terms; 0.30 points are given to states with one or more localities with laws having undefined key terms.

Information also includes a list of localities for each state that received points for localities that enacted local legislation and a summary of state and local laws that define key terms—*family responsibilities*, *family status*, *familial status*, and *caregiver*—that can protect working family caregivers of older people and adults with disabilities from employment discrimination.

Arizona (0.30 points)

- Local law: Buckey, Tolleson—Local laws do not define familial status.

California (0.60 points)

- Local law: San Francisco—Caregiver is defined to include care for a parent of the

employee who is age 65 or older and other adult family members who have serious health conditions. Family is defined as related by blood or marriage, and includes spouse, partner, parent, sibling, and grandparent. Caregiver coverage includes caregivers of own parents over age 65 and adult family members who have a serious health condition.

Colorado (0.30 points)

- Local law: Crested Butte, Telluride—Local laws do not define familial status.

Connecticut (1.00 point)

- Statewide law—Law does not define family responsibility.

Delaware (2.00 points)

- Statewide law—Family responsibility is defined as caring for family members who would be covered under the federal Family Medical Leave Act (FMLA), so siblings, in-laws, grandparents, and unmarried partners are not included. Caregiver coverage includes caregivers of own spouse and own parent and children with a serious health condition.

District of Columbia (2.00 points)

- Districtwide law—Family responsibilities is defined as contributing to the support of a person in a dependent relationship. City regulations clarify that the person may be related by blood, legal custody, or marriage, or may be someone who shares a residence and maintains a domestic partnership. Caregiver coverage includes caregivers for a spouse and adult family members, including own parent.

Florida (0.60 points)

- Local law: Monroe County—Familial status means the status of “...living alone or in any familial relationship whatsoever, including, but not limited to, living with a

partner... , and of living with one or more dependents, whether minor or disabled children or parents.” Caregiver coverage includes caregivers of adult family members.

Illinois (0.60 points)

- Local laws: Champaign, Urbana—Family responsibilities is defined as contributing to the support of a person in a dependent relationship. Caregiver coverage includes caregivers of dependent family members, including own parent and adult family members.

Indiana (0.30 points)

- Local laws: Valparaiso, Zionsville—Local laws do not define familial status.

Iowa (0.60 points)

- Local law: Grinnell—Familial status is defined as living with minor children or living with and caring for another adult with physical or mental disabilities. Caregiver coverage includes caregivers of adults with disabilities who reside in the same home as the caregiver.

Kansas (0.60 points)

- Local law: Mission—Familial status is defined as adults who are spouses, parents, and children, and “persons who are presently residing together or have resided together in the past.” Caregiver coverage includes caregivers of people who have certain family relationships, including own parent and adult family members.

Kentucky (0.30 points)

- Local law: Paducah—Local law does not define familial status.

Maine (0.30 points)

- Local laws: Bangor, Orano—Local laws do not define family status.

Maryland (0.60 points)

- Local law: Montgomery County—Family responsibilities is defined as being financially or legally responsible for the

support or care of a person. Caregiver coverage includes caregivers of others, including own parents and adult family members.

Michigan (0.60 points)

- Local laws: Adrian, Albion, Ann Arbor, Battle Creek, Canton Charter Township, Farmington Hills, Fenton, Howell, Jackson, Kalamazoo, Lansing, Marquette, Mount Pleasant, Oshtemo, Portage, Royal Oak, Trenton, Ypsilanti—Local laws define family status and family responsibilities. Caregiver coverage includes caregivers of family members, including own parents and adult family members.

New Jersey (0.60 points)

- Local law: East Orange—Family status is defined as being in a family, which means a spouse, sibling, parent, child, or other near relative who lives with the employee, and a nonrelative under certain circumstances. Caregiver coverage includes caregivers of family members, including own parents and adult family members, who live together.

New Mexico (0.30 points)

- Local law: Angel Fire—Local law does not define familial status.

New York (0.60 points)

- Local law: New York City—Caregiver status is defined as providing direct and ongoing care for a care recipient, which is defined as a person with a disability who is a covered relative or who lives with the employee and relies on the employee for medical care or the needs of daily living. Covered relatives include spouse, partner, parent, sibling, grandparent, parents of the employee’s spouse or partner, or any other individual in a familial relationship with the employee. Caregiver coverage includes caregivers of family members, including own parents and adult family members, and others who live with the employee and who have a disability and rely on the employee for care.

Ohio (0.30 points)

- Local laws: Bowling Green, Kent, New Carlisle, Olmsted Falls, St. Clairsville—Local laws do not define familial status.

Oklahoma (0.30 points)

- Local laws: Mounds, Norman, Okmulgee—Local laws do not define familial or family status.

Oregon (0.30 points)

- Local laws: Beaverton, Corvallis, Hillsboro, Salem, Springfield, Benton County, Multnomah County—Local laws do not define familial status.

Pennsylvania (0.60 points)

- Local law: Philadelphia—Familial status is defined as providing care or support to a family member. Family members include spouses, partners, parents, grandparents, siblings, and in-laws. Caregiver coverage includes caregivers of family members, including own parents and adult family members.

Texas (0.30 points)

- Local law: Fulton—Local law does not define familial status.

Wisconsin (0.60 points)

- Local laws: De Pere, Racine—Family status is defined as a household containing one or more minor or adult relatives (note: this definition may apply to housing, but no other definition is provided for employment). Caregiver coverage includes caregivers of adult relatives, including own parents and adult family members, who live together.

The Extent to Which States Exceeded Federal Requirements under the Family and Medical Leave Act

The information provided below includes states that exceeded federal Family and Medical Leave Act (FMLA) requirements for covered employers, covered employee eligibility, length of leave, and type of leave allowed. States received points for the degree to which they exceeded the federal FMLA requirements, up to a total of 4.0 possible points, as follows:

Covered employers:

15 or fewer employees (1.0 point) | 16 to 30 employees (0.50 points)

Covered employee eligibility (time with employer):

Less than 1,000 hours or 6 months of work with no minimum hours (1.0 point) | 1,000 hours over a 12-month work period (0.50 points)

Type of leave (covered “family member” relationships):

Parent-in-law | Sibling | Grandparent | Grandparent-in-law (0.25 points each, up to a total of 1.0 point)

Length of leave:

16 weeks over 2 years (1.0 point) | 12 to 15 weeks over 2 years (0.50 points)

Connecticut (1.75 points)

- Time with employer (0.50 points)—1,000 hours over a 12-month work period
- Covered relationships (0.25 points)—Parent-in-law
- Length of leave (1.0 point)—16 weeks of leave over a 24-month period

District of Columbia (3.00 points)

- Covered employers (0.50 points)—20 or more employees
- Time with employer (0.50 points)—1,000 hours over a 12-month work period
- Covered relationships (1.0 point)—Parent-in-law, sibling, grandparent, grand-parent-in-law

- Length of leave (1.0 point)—16 weeks of leave over a 24-month period

Hawaii (2.00 points)

- Time with employer (1.0 point)—More than 6 consecutive months of service with employer
- Covered relationships (1.0 point)—Parent-in-law, sibling, grandparent, grandparent-in-law

Maine (1.25 points)

- Covered employers (1.0 point)—15 or more employees
- Covered relationships (0.25 points)—Sibling

Minnesota (0.50 points)

- Covered relationships (0.50 points)—Sibling, grandparent

New Jersey (1.75 points)

- Covered employers (0.50 points)—30 or more employees
- Time with employer (0.50 points)—1,000 hours over a 12-month work period
- Covered relationships (0.75 point)—Parent-in-law, sibling, grandparent

Oregon (2.00 points)

- Covered employers (0.50 points)—25 or more employees
- Time with employer (1.0 point)—900 hours of service (36 weeks, minimum 25 hours per week)
- Covered relationships (0.50 points)—Parent-in-law, grandparent

Rhode Island (0.50 points)

- Length of leave (0.50 points)—13 weeks of leave over a 2-year period

Vermont (1.25 points)

- Covered employers (1.0 point)—15 or more employees
- Covered relationships (0.25 points)—Parent-in-law

Wisconsin (0.75 points)

- Time with employer (0.50 points)—1,000 hours over a 12-month work period
- Covered relationships (0.25 points)—Parent-in-law

The Extent to Which States Offer Mandatory Paid Family Leave

The information provided below includes states that received points for extending benefits beyond FMLA to family caregivers. States received points for the extent to which state laws require employers to provide mandatory paid family leave, up to a total of 4.0 possible points, as follows:

Statewide paid family leave law:

Statewide law enacted and effective (1.0 point) | ½ credit if statewide law enacted but not effective until after 6/2020 (0.50 points)

Covered employers:

15 or fewer employees (1.0 point) | ½ credit if law not effective until after 6/2020 (0.50 points) | 16 to 30 employees (0.50 points) | ½ credit if law not effective until after 6/2020 (0.25 points)

Type of leave (covered “family member” relationships):

Parent-in-law | Sibling | Grandparent | Grandparent-in-law (0.25 points each, up to a total of 1.0 point) | ½ credit if law not effective until after 6/2020 (0.125 to 0.50 points)

Length of leave:

10 or more weeks of leave (1.0 point) | ½ credit if law not effective until after 6/2020 (0.50 points) | less than 10 weeks (0.50 points) | ½ credit if law not effective until after 6/2020 (0.25 points)

California (3.25 points)

- Statewide law (1.0 point)—Effective
- Covered employers (1.0 point)—All private-sector employers
- Covered relationships (0.75 points)—Parent-in-law, sibling, grandparent
- Length of leave (0.50 points)—8 weeks of leave

Connecticut (2.00 points)

- Statewide law (0.50 points)—Law enacted (becomes effective 1/1/21)
- Covered employers (0.50 points)—All private-sector employers (law effective 1/1/21)
- Covered relationships (0.50 points)—Parent-in-law, sibling, grandparent, grandparent-in-law (law effective 1/1/21)
- Length of leave (0.50 points)—Up to 12 weeks of leave (law effective 1/1/21)

District of Columbia (3.50 points)

- Statewide law (1.0 point)—Effective
- Covered employers (1.0 point)—All private-sector employers
- Covered relationships (1.0 point)—Parent-in-law, sibling, grandparent, grandparent-in-law
- Length of leave (0.50 points)— 6 weeks of leave

Massachusetts (3.25 points)

- Statewide law (1.0 point)—Effective
- Covered employers (0.50 points)—25 or more employees
- Covered relationships (0.75 points)—Parent-in-law, sibling, grandparent
- Length of leave (1.0 point)—12 weeks of leave

New Jersey (2.50 points)

- Statewide law (1.0 point)—Effective
- Covered employers (0.50 points)—30 or more employees
- Length of leave (1.0 point)—12 weeks of leave

New York (3.50 points)

- Statewide law (1.0 point)—Effective
- Covered employers (1.0 point)—All private-sector employers
- Covered relationships (0.50 points)—Parent-in-law, grandparent

- Length of leave (1.0 point)—10 weeks of leave

Oregon (1.50 points)

- Statewide law (0.50 points)—Law enacted (becomes effective 2023)
- Covered employers (0.25 points)—25 or more employees (law effective 2023)
- Covered relationships (0.25 points)—Parent-in-law, sibling (law effective 2023)
- Length of leave (0.50 points)—12 weeks of leave (law effective 2023)

Rhode Island (2.75 points)

- Statewide law (1.0 point)—Effective
- Covered employers (1.0 point)—All private-sector employers
- Covered relationships (0.25 points)—Grandparent
- Length of leave (0.50 points)—4 weeks of leave

Washington (3.50 points)

- Statewide law (1.0 point)—Effective
- Covered employers (1.0 point)—All private-sector employers
- Covered relationships (0.50 points)—Sibling, grandparent
- Length of leave (1.0 point)—12 weeks of leave

The Extent to Which States Offer Mandatory Paid Sick Days

The information provided below includes states that received points for extending benefits beyond FMLA to family caregivers. States received points for the extent to which state laws require employers to provide mandatory paid sick days, up to a total of 3.0 possible points, as follows:

Statewide paid sick leave law:

Statewide law enacted and effective (1.0 point) | ½ credit if statewide law enacted but not effective until after 6/2020 (0.50 points)

Covered employers:

Fewer than 10 employees (1.0 point) | ½ credit if law not effective until after 6/2020 (0.50 points) | 10 to 49 employees (0.50 points) | ½ credit if law not effective until after 6/2020 (0.25 points)

Amount of annual accrued leave:

40 or more hours of leave (1.0 point) | ½ credit if law not effective until after 6/2020 (0.50 points) | Less than 40 hours (0.50 points) | ½ credit if law not effective until after 6/2020 (0.25 points)

Arizona (2.00 points)

- Statewide law (1.0 point)—Effective
- Covered employers (0.50 points)—15 or more employees
- Amount of annual accrued leave (0.50 points)—Less than 40 hours of leave

California (2.50 points)

- Statewide law (1.0 point)—Effective
- Covered employers (1.0 point)—Any number of employees
- Amount of annual accrued leave (0.50 points)—Less than 40 hours of leave

Connecticut (2.00 points)

- Statewide law (1.0 point)—Effective
- Covered employers (0 points)—50 or more employees
- Amount of annual accrued leave (1.0 point)—40 or more hours of leave

District of Columbia (2.00 points)

- Statewide law (1.0 point)—Effective
- Covered employers (0.50 points)—25 or more employees
- Amount of annual accrued leave (0.50 points)—Less than 40 hours of leave

Illinois (2.00 points)

- Statewide law (0 points)—Not statewide
- Covered employers (1.0 point)—Any number of employees
- Amount of annual accrued leave (1.0 point)—40 or more hours of leave

Maine (1.50 points)

- Statewide law (0.50 points)—Enacted “paid personal time off” (law effective 1/1/21)
- Covered employers (0.50 points)—10 or more employees (law effective 1/1/21)
- Amount of annual accrued leave (0.50 points)—40 or more hours of leave (law effective 1/1/21)

Maryland (2.50 points)

- Statewide law (1.0 point)—Effective
- Covered employers (0.50 points)—15 or more employees
- Amount of annual accrued leave (1.0 point)—40 or more hours of leave

Massachusetts (2.50 points)

- Statewide law (1.0 point)—Effective
- Covered employers (0.50 points)—11 or more employees
- Amount of annual accrued leave (1.0 point)—40 or more hours of leave

Michigan (2.00 points)

- Statewide law (1.0 point)—Effective
- Covered employers (0 points)—50 or more employees
- Amount of annual accrued leave (1.0 point)—40 or more hours of leave

Minnesota (2.00 points)

- Statewide law (0 points)—Not statewide
- Covered employers (1.0 point)—Fewer than 10 employees
- Amount of annual accrued leave (1.0 point)—40 or more hours of leave

Nevada (2.00 points)

- Statewide law (1.0 point)—Effective
- Covered employers (0 points)—50 or more employees
- Amount of annual accrued leave (1.0 point)—40 or more hours of leave

New Jersey (3.00 points)

- Statewide law (1.0 point)—Effective
- Covered employers (1.0 point)—Any number of employees
- Amount of annual accrued leave (1.0 point)—40 or more hours of leave

New Mexico (1.50 points)

- Statewide law (0 points)—Not statewide
- Covered employers (1.0 point)—Fewer than 10 employees
- Amount of annual accrued leave (0.50 points)—Less than 40 hours of leave

New York (2.00 points)

- Statewide law (0 points)—Not statewide
- Covered employers (1.0 point)—5 or more employees
- Amount of annual accrued leave (1.0 point)—40 or more hours of leave

Oregon (2.50 points)

- Statewide law (1.0 point)—Effective
- Covered employers (0.50 points)—10 or more employees
- Amount of annual accrued leave (1.0 point)—40 or more hours of leave

Pennsylvania (1.50 points)

- Statewide law (0 points)—Not statewide
- Covered employers (0.50 points)—10 or more employees
- Amount of annual accrued leave (1.0 point)—Up to 40 hours of leave

Rhode Island (2.50 points)

- Statewide law (1.0 point)—Effective
- Covered employers (0.50 points)—18 or more employees
- Amount of annual accrued leave (1.0 point)—40 or more hours of leave

Texas (1.50 points)

- Statewide law (0 points)—Not statewide
- Covered employers (0.50 points)—15 or more employees

- Amount of annual accrued leave (1.0 point)—40 or more hours of leave

Vermont (3.00 points)

- Statewide law (1.0 point)—Effective
- Covered employers (1.0 point)—Any number of employees
- Amount of annual accrued leave (1.0 point)—40 or more hours of leave

Washington (3.00 points)

- Statewide law (1.0 point)—Effective
- Covered employers (1.0 point)—Any number of employees
- Amount of annual accrued leave (1.0 point)—40 or more hours of leave

The Extent to Which States Offer Flexible Use of Sick Time

The information provided below includes states that received points for extending benefits beyond FMLA to family caregivers. States received points for the extent to which state laws require employers to provide flexible use of sick time, up to a total of 3.0 possible points, as follows:

Covered employers:

15 or fewer employees (1.0 point) | 16 to 30 employees (0.50 points)

Type of leave (covered “family member” relationships):

Parent-in-law | Sibling | Grandparent | Grandparent-in-law (0.25 points each, up to a total of 1.0 point)

Amount of available time:

10 or more days of available time (1.0 point) | Less than 10 days (0.50 points)

Arizona (2.25 points)

- Covered employers (1.0 point)—15 or more employees
- Covered relationships (0.75 points)—Parent-in-law, sibling, grandparent
- Amount of available time (0.50 points)—Less than 10 days

California (2.25 points)

- Covered employers (1.0 point)—Any number of employees
- Covered relationships (0.75 points)—Parent-in-law, sibling, grandparent
- Amount of available time (0.50 points)—Less than 10 days

Connecticut (1.00 point)

- Covered employers (0 points)—75 or more employees
- Covered relationships (0 points)—Not applicable
- Amount of available time (1.0 point)—10 or more days

District of Columbia (2.00 points)

- Covered employers (0.50 points)—25 or more employees
- Covered relationships (1.0 point)—Parent-in-law, sibling, grandparent, grandparent-in-law
- Amount of available time (0.50 points)—Less than 10 days

Georgia (1.25 points)

- Covered employers (0.50 points)—25 or more employees
- Covered relationships (0.25 points)—Grandparent
- Amount of available time (0.50 points)—Less than 10 days

Hawaii (2.00 points)

- Covered employers (0 points)—100 or more employees
- Covered relationships (1.0 point)—Parent-in-law, sibling, grandparent, grandparent-in-law
- Amount of available time (1.0 point)—10 or more days

Illinois (2.25 points)

- Covered employers (1.0 point)—Any number of employees

- Covered relationships (0.75 points)—Parent-in-law, sibling, grandparent
- Amount of available time (0.50 points)—Less than 10 days

Maine (1.00 points)

- Covered employers (0.50 points)—25 or more employees
- Covered relationships (0 points)—Not applicable
- Amount of available time (0.50 points)—Less than 10 days

Maryland (2.00 points)

- Covered employers (1.0 point)—15 or more employees
- Covered relationships (0 points)—Not applicable
- Amount of available time (1.0 point)—10 or more days

Massachusetts (1.75 points)

- Covered employers (1.0 point)—Any number of employees
- Covered relationships (0.25 points)—Parent-in-law
- Amount of available time (0.50 points)—Less than 10 days

Michigan (1.00 point)

- Covered employers (0 points)—50 or more employees
- Covered relationships (0.50 points)—Sibling, grandparent
- Amount of available time (0.50 points)—Less than 10 days

Minnesota (2.25 points)

- Covered employers (0.50 points)—21 or more employees
- Covered relationships (0.75 points)—Parent-in-law, sibling, grandparent
- Amount of available time (1.0 point)—10 or more days

New Jersey (2.00 points)

- Covered employers (1.0 point)—Any number of employees
- Covered relationships (0.50 points)—Sibling, grandparent
- Amount of available time (0.50 points)—Less than 10 days

New Mexico (3.00 points)

- Covered employers (1.0 point)—Any number of employees
- Covered relationships (1.0 point)—Parent-in-law, sibling, grandparent, grandparent-in-law
- Amount of available time (1.0 point)—10 or more days

New York (2.00 points)

- Covered employers (1.0 point)—5 or more employees (law enacted only in New York City and Westchester County)
- Covered relationships (0.50 points)—Sibling, grandparent
- Amount of available time (0.50 points)—Less than 10 days

Oregon (2.00 points)

- Covered employers (1.0 point)—10 or more employees
- Covered relationships (0.50 points)—Parent-in-law, grandparent
- Amount of available time (0.50 points)—Less than 10 days

Rhode Island (1.75 points)

- Covered employers (0.50 point)—18 or more employees
- Covered relationships (0.75 points)—Parent-in-law, sibling, grandparent
- Amount of available time (0.50 points)—Less than 10 days

Vermont (2.25 points)

- Covered employers (1.0 point)—Any number of employees
- Covered relationships (0.75 points)—Parent-in-law, sibling, grandparent
- Amount of available time (0.50 points)—Less than 10 days

Washington (2.75 points)

- Covered employers (1.0 point)—Any number of employees
- Covered relationships (0.75 points)—Parent-in-law, sibling, grandparent
- Amount of available time (1.0 point)—10 days or more

Wisconsin (1.25 points)

- Covered employers (0 points)—50 or more employees
- Covered relationships (0.25 points)—Parent-in-law
- Amount of available time (1.0 point)—10 days or more