



September 6, 2021

The Honorable Ron Wyden
Chairman, Committee on Finance
United States Senate
221 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Debbie Stabenow
United States Senator
731 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Maria Cantwell
United States Senator
511 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Robert Menendez
United States Senator
528 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Thomas Carper
United States Senator
513 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Benjamin Cardin
United States Senator
509 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Sherrod Brown
United States Senator
503 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Michael Bennet
United States Senator
261 Russell Senate Building
Washington, D.C. 20510

The Honorable Bob Casey
United States Senator
393 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Mark Warner
United States Senator
703 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Sheldon Whitehouse
United States Senator
503 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Maggie Hassan
United States Senator
324 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Catherine Cortez Masto
United States Senator
313 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Elizabeth Warren
United States Senator
309 Hart Senate Office Building
Washington, D.C. 20510

Dear Chairman Wyden and Senators,

Thank you for your service and leadership to our nation.

On behalf of the Advancing Bereavement Care Coalition (ABCC) and on Labor Day, we encourage you to include five days of paid bereavement leave in the FY22 budget reconciliation, our nation's first federal job and wage protection for newly bereaved individuals.

The ABCC represents millions of bereaved Americans, many of whom are working age adults who have no federal employment or wage protections in the aftermath of death. With concurrent public health mortality emergencies raging in communities throughout the nation (ie, COVID-19, overdose, suicide and homicide), millions of Americans and families risk financial instability following a death.

The consequences of bereavement experience and exposure are unappreciated and unattended nationally; however, COVID-19 both illuminated and exacerbated our nation's existing and ever-growing economic and social inequalities among those most at-risk. According to the Bureau of Labor Statistics, 81 percent of the top wage earners have access to paid funeral leave, while 23 percent of the lowest wage earners have access to the same benefits¹ These inequalities in bereavement are magnified among racial minorities. Black Americans are three times as likely as White Americans to have two or more family members die by the time they reach the age of 30.²

Therefore, we respectfully recommend that you address employment and wage inequalities by immediately amending the Family Medical Leave Act via the FY22 reconciliation with the following provisions:

- 1) Leave Allotment:** *Five days* of paid leave following the death of a loved one.
- 2) Schedule:** Leave may be taken up to 12 months following the death, at the discretion of the employee.
- 3) Wage replacement:** Partial wage replacement, up to \$4,000 per month.
- 4) Age of a child:** Define the age of a child from stillbirth at 20 weeks (consistent with the Centers of Disease Control and Prevention definition) and up to age 26 bringing age parity with existing health care and tax law.
- 5) Definition of a family member or loved one:** Given the diversity of family compositions, we suggest defining a family member or loved one as: (1) Spouses, domestic partners, and both different-sex and same-sex significant others: or (2) Any other family member within the second degree of consanguinity or affinity: or (3) A member of the covered employee's household, including a minor's parents, regardless of the sex or gender of either parent. Parenthood should be defined as legal parents, foster parents, same-sex parent, stepparents, those serving in loco parentis, and other persons operating in caretaker roles.
- 6) Effective Date:** Year one.

These measures will not only provide job and wages protections for newly bereaved families, but they also will help stabilize family well-being and economic solvency in the short- and long-term. Given the unprecedented mortality rates among our nation and on behalf of millions of bereaved and vulnerable Americans, we request that you no longer allow for this injustice to continue. As you well know, there will not be another opportunity to provide these safeguards for these individuals and families for at least a decade or more.

Now is the time to act.

The ABCC is here to answer your questions or concerns. Please feel free to contact Joyal Mulheron at joyalm@live-evermore.org or (202) 263-3656.

Sincerely,

1st Breath
A Sacred Passing Death Midwifery

¹ <https://www.bls.gov/ncs/ebs/benefits/2018/ownership/civilian/table32a.htm>

² <https://pubmed.ncbi.nlm.nih.gov/28115712/>

COPE Foundation
Evermore
Grief Coach
Judi's House
Kentucky Center for Grieving Children and Families
Lantern
Modern Loss
Portland Institute for Loss and Transition
PUSH for Empowered Pregnancy
Refuge in Grief
The Center for Complicated Grief
The Children's Room
The Cove Center for Grieving Children
The Dinner Party
The Tristesse Grief Center
Valerie's House
Workplace Resilience
We Save Lives