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H.R. 4855, WORK–LIFE BALANCE AWARD ACT

HEARING

BEFORE THE

SUBCOMMITTEE ON WORKFORCE PROTECTIONS

COMMITTEE ON

EDUCATION AND LABOR

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED ELEVENTH CONGRESS

SECOND SESSION

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H.R. 4855, WORK–LIFE BALANCE AWARD ACT

Thursday, April 22, 2010
U.S. House of Representatives
Subcommittee on Workforce Protections
Committee on Education and Labor
Washington, DC

The subcommittee met, pursuant to call, at 10:03 a.m., in room 2175, Rayburn House Office Building, Hon. Lynn Woolsey [chairwoman of the subcommittee] presiding.

Present: Representatives Woolsey, Hare, Sablan, McMorris Rodgers, and Wilson.

Staff present: Andra Belknap, Press Assistant; Jody Calemine, General Counsel; Lynn Dondis, Labor Counsel, Subcommittee on Workforce Protections; David Hartzler, Systems Administrator; Sadie Marshall, Chief Clerk; Alex Nock, Deputy Staff Director; Alexandria Ruiz, Staff Assistant; James Schroll, Junior Legislative Associate, Labor; Matt Walker, Policy Advisor, HELP; Mark Zuckerman, Staff Director; Kirk Boyle, Minority General Counsel; Ed Gilroy, Minority Director of Workforce Policy; Rob Gregg, Minority Senior Legislative Assistant; Alexa Marrero, Minority Communications Director; Brian Newell, Minority Press Secretary; Jim Paretti, Minority Workforce Policy Counsel; Molly McLaughlin Salmi, Minority Deputy Director of Workforce Policy; and Linda Stevens, Minority Chief Clerk/Assistant to the General Counsel.

Chairwoman WOOLSEY [presiding]. A quorum is present. The hearing of the Subcommittee on Workforce Protection will come to order. And I will begin with my opening statement.

I have quite a bit to say, so I usually don't take up all that much time, but this is—I have a lot to say about what we are doing today.

Today's Subcommittee Workforce Protections hearing on H.R. 4855, the Work-Life Balance Award Act—is being introduced by myself and Chairman Miller. And we are proud of that and to have this hearing the same day we are introducing the legislation just fits perfectly.

H.R. 4855 establishes an annual award at the Department of Labor for employers—both private and public—with policies that contribute to work-life balance.

Today, if a child is fortunate to have two parents, most of them work outside the home and commute long hours, and in a single-parent home it is almost certain that this is true. So balancing

work and family is a very real challenge for millions of workers in this country and is extremely important to their children.

Many years ago, when I was a working mom and before my children were parents themselves, I worked full-time outside of the home. It was a struggle. It was a struggle on many levels, but it was particularly a struggle to meet both the needs of my family as well as the responsibilities of my job.

My job was that of a human resources manager, so I was absolutely aware that many of my employees were going through the very same things that I was. Unfortunately, that was at least 30 years ago, and today nearly every parent is under these same pressures, and men as well as women are desperate for work-life balance.

One of the main reasons I ran for Congress over 18 years ago was to fight for working families. I was a new member when we passed the Family and Medical Leave Act, and I knew what an important step we were taking, particularly for working women, to provide job-protected family and medical leave for certain workers, even though it was unpaid.

Since then we have learned that more than 100 million leaves have been taken under FMLA; that nearly 2 in 3 workers are not covered by the act; and even if they are, most can't take advantage of its provisions because they simply cannot afford to take unpaid leave.

About 8 percent of workers are fortunate to receive paid leave through their work, so we have a lot of room for improvement. In fact, the U.S. lags far behind the rest of the world in providing paid leave and other work-life benefits to their employees.

It is unacceptable that our country, which is the number one economy in the world, can barely compete with developing nations in this arena. Workers should not have to choose between work and family, and that is why I have introduced the balancing act, H.R. 3047, which lays out a blueprint for balancing work and family.

This effort to bring balance between home and the workplace must be waged on all fronts, and many in the business world are leading the way. These companies know that providing work-life benefits increases retention, decreases absenteeism, and increases productivity.

And through recognition awards by such entities as Working Mother magazine, along with the Alfred P. Sloan Foundation and the Families and Work Institute, employers are encouraged to assist their employees so that they can bridge the challenges of work and family by adopting good work-life balancing policies.

The bill we are examining today provides another incentive for employers. I want to thank ranking member Cathy McMorris Rodgers, who is not here right now because she had a prevailing—a very important meeting, an appointment, but we have Joe Wilson in her stead—but Congresswoman McMorris Rodgers has been invaluable in assisting in the drafting of this bill.

H.R. 4855, the Work-Life Balance Award, establishes an award at the Department of Labor to be presented annually to employers of any size that have exemplary work-life policies. The bill also sets up an independent board appointed by the Secretary of Labor based on recommendations from Congress to develop criteria as

well as the applications process. The board is also charged with providing recommendations to the Secretary of qualifying employers.

The board will consist of representatives from children and families' groups, state and local government, business or business organizations, and organized labor. We have made a great start by introducing this legislation, but I believe that when we mark this bill up in the committee, we can further improve it by adding the minimal requirements for the advisory board to use in establishing its criteria for awardees.

For example, the bill should identify certain work-life practices on which employers would be measured. While I don't have an exhaustive list, these policies could include paid sick leave to care for one's self or a sick family member and for the birth or adoption of a child, time off to attend children's extracurricular activities and school conferences, telecommuting, job sharing, and on site-child care. Those are just examples.

While the bill requires the board to consider only those employers who are in compliance with all labor and employment laws, we certainly should consider the whole company as an example of a good employer, so an employer with wage and hour or OSHA citations may not qualify.

I would also be very interested in any suggestions and all suggestions that our witnesses have. You will be able to help us strengthen this legislation so that it becomes absolutely meaningful.

Creating award at the—an award at the U.S. Department of Labor is important for the reason that we can send the message that the federal government supports and encourages work-life balance. This award, however, is not intended to supplant other awards but to complement ongoing efforts.

So again, I thank you for coming. I look forward to hearing from our wonderful witnesses. And I yield now to Congressman Wilson.

[The statement of Ms. Woolsey follows:]

Prepared Statement of Hon. Lynn C. Woolsey, Chairwoman, Subcommittee on Workforce Protections

Today the Subcommittee on Workforce Protections is holding a legislative hearing on "H.R. 4855, the Work-Life Balance Award Act," a bill I have introduced with Chairman Miller.

H.R. 4855 establishes an annual award at the Department of Labor for employers—both private and public—with policies that contribute to work-life balance.

Today, if a child is fortunate to have two parents, most of them work outside the home and commute long hours.

And in a single-parent home it's almost certain to be true.

So balancing work and family is a very real challenge for millions of workers in this country and is extremely important to their children.

Many years ago, when my children were not parents themselves, I was working full-time outside the home.

It was a struggle to meet both the needs of my family as well as the responsibilities of my job.

And as a human resource manager, I was aware that many of my employees were going through the same thing.

Unfortunately, some 30 years later, nearly every parent is under these pressures, and men as well as women are desperate for work-life balance.

One of the main reasons I ran for congress over 18 years ago was to fight for working families.

I was a new member when we passed the Family and Medical Leave Act (F-M-L-A), and I knew what an important step we were taking—particularly for working

women—to provide job-protected family and medical leave for certain workers, even though it was unpaid.

Since then we have learned that more than 100 million leaves have been taken under the FMLA; that nearly 2 in 3 workers are not covered by the act; and even if they are, most can't take advantage of its provisions because they simply cannot afford to take unpaid leave.

About 8% of workers are fortunate to receive paid leave through their work, so we have a lot of room for improvement.

In fact, the U.S. lags far behind the rest of the world in providing paid leave and other work-life benefits to employees.

It is unacceptable that our country, which is the number one economy in the world—can barely compete with developing nations in this arena.

Workers should not have to choose between work and family, which is why I have introduced the balancing act, H.R. 3047, which lays out a blueprint for balancing work and family.

This effort to bring balance between home and the workplace must be waged on all fronts, and many in the business world are leading the way.

These companies know that providing work-life benefits increases retention, decreases absenteeism, and increases productivity.

And through recognition awards by such entities as Working Mother magazine, along with the Alfred P. Sloan Foundation and the Families and Work Institute, employers are encouraged to assist their employees in bridging the challenges of work and family by adopting good work-life balance policies.

The bill we are examining today provides another incentive for employers.

I want to thank ranking member Cathy McMorris-Rodgers for her invaluable assistance in drafting this bill.

H.R. 4855, the Work-Life Balance Award Act, establishes an award at the Department of Labor to be presented annually to employers of any size that have exemplary work-life policies.

The bill also sets up an independent board appointed by the Secretary of Labor based on recommendations from Congress to develop criteria, as well as the application process.

The board is also charged with providing recommendations to the secretary of qualifying employers.

The board will consist of representatives from children and families' groups; state and local government; business or business organizations; and organized labor.

We have made a great start by introducing this legislation, but I believe that when we mark this bill up in the committee, we can further improve it by adding the minimal requirements for the advisory board to use in establishing its criteria for awardees.

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While the bill requires the board to consider only those employers who are in compliance with all labor and employment laws, we certainly should consider the "whole company" as an example of a good employer, so an employer with wage and hour or OSHA citations may not qualify.

I would also be very interested in any suggestions that our witnesses have.

Creating an award at the U.S. Department of Labor is important so that we can send the message that the federal government supports and encourages work-life balance.

This award, however, is not intended to supplant other awards, but to complement ongoing efforts.

Again thank you for coming, and I look forward to hearing from our wonderful witnesses.

I now yield to ranking member McMorris-Rodgers for her opening statement.

Mr. WILSON. Thank you, Madam Chair. I would like to thank you for having the hearing today. I understand the ranking member, McMorris Rodgers, should arrive shortly and will give a statement, so I will be brief in my opening comments.

I just want to extend a warm welcome to our distinguished panel of witnesses. It is like Old Home Week for me to be back, and I appreciate the enthusiasm of our chair.

We look forward to your testimony and to an examination of H.R. 4855, the Work-Life Balance Award Act. Again, thank you to the witnesses for agreeing to appear here today.

And with that, I yield back.

[The statement of Mr. Wilson follows:]

Prepared Statement of Hon. Joe Wilson, a Representative in Congress From the State of South Carolina

Thank you, Madam Chair. I would like to thank you for having this hearing today. I understand that Ranking Member McMorris Rodgers should arrive shortly and will give a statement, so I will be brief in my opening comments. I just want to extend a warm welcome to our distinguished panel of witnesses. We look forward to your testimony and to an examination of H.R. 4855, the Work-Life Balance Award Act. Again, thank you to the witnesses for agreeing to appear today. And with that, I yield back.

Chairwoman WOOLSEY. Thank you, Congressman.

Without objection, all members will have 14 days to submit additional materials for the hearing record.

Now I would like to introduce our very distinguished panel of witnesses that are here with us this morning.

And in the order that you will be heard, I will introduce you now, and then we will go in that order.

Carol Evans is the CEO and founder of Working Mother Media. Prior to founding Working Mother Media, she served as chief operating officer of the—of the Chief Executive Group publishing Chief Executive Magazine. She has been involved with Working Mother magazine since it was launched in 1978. She holds a B.A. from Empire State College.

The Honorable Victoria Lipnic was sworn in Tuesday as a commissioner of the U.S. Equal Opportunity Employment Commission. However, she is not testifying in that capacity today. She had previous practice—previously practiced law at the Washington, D.C. office of Seyfarth Shaw and from 2002 to 2009 was the U.S. Assistant Secretary of Labor for Employment Standards. Ms. Lipnic has also served as the counsel for this committee. She received a J.D. from George Mason University School of Law and a B.A. from Allegheny College.

It is nice to see you again.

China Miner Gorman is the Chief Global Member Engagement Officer of the Society for Human Resources Management—yes, SHRM. Ms. Gorman joined SHRM in 2007 as its chief operating officer and has more than 25 years of experience in human resources. Prior to joining SHRM, she was president of DBM North America and president of Lee Hecht Harrison. Ms. Gorman earned a B.A. from Principia College.

Portia Wu is Vice President of the National Partnership for Women and Families, a nonprofit, nonpartisan advocacy group dedicated to promoting policies that help individuals meet the dual demand of work and family. From 2003 to 2010 she was a staffer on the Senate Health Committee, serving most recently as labor policy director, general counsel. She has earned her B.A. and J.D.

from Yale University and a master's degree from Cornell University.

What a panel. Are we honored. I welcome you all. I need to tell you about the lighting system. You probably don't need me to tell you this. When you begin speaking the light will go on, and it will be green. You have 5 minutes. At 4 minutes the light will turn yellow, orange-y yellow, and then you will have a minute to wrap—to come to a conclusion.

The floor doesn't open up at 5 minutes. You get to finish your sentence and your thought. And if you are—you haven't gotten as far as you thought you would, we will hopefully be able to clean all that up when you are—when we ask questions and get the discussion going.

So that is where we are, and we are now going to hear from our first witness, Carol Evans.

STATEMENT OF CAROL EVANS, PRESIDENT, WORKING MOTHER MEDIA

Ms. EVANS. Thank you so much.

Madam Chairwoman and members of the subcommittee, I am pleased to appear before you today to support the proposed Work-Life Balance Award Act of 2010, H.R. 4855, introduced by Representatives Lynn Woolsey and George Miller.

And I must say, thank you for having me. I turned the timer so I could see it because I speak extemporaneously a lot and often ignore the timer, so I am trying to behave.

I applaud this effort to raise awareness of work-life balance challenges faced by working mothers in the United States. And I would like to suggest a public-private partnership tweak to this vital bill. There are 31 million women in this country who are both employed and have children under the age of 18 living at home.

Working mothers have fueled the U.S. economy for more than three decades by adding their productivity to the labor force while having children and raising the next generation of our citizens and of our workforce.

In recognition of the importance of keeping our workforce strong and our home fronts stable, government and companies should be doing all they can to support working moms and dads.

In many countries around the world, government is in the lead in supporting working mothers, mandating paid maternity leave, paid paternity leave, providing high-quality child care, and requiring flexible work hours.

In the United States, our government mandates unpaid maternity leave and requires equal pay by gender, but progressive support for working moms comes from companies, large and small, public and private, for-profit and nonprofit, voluntarily leading the way.

In October of this year, Working Mother magazine will celebrate the 25th anniversary of the Working Mother 100 Best Companies Award. This award began in 1986 when Working Mother magazine decided to shine a spotlight on the work-life balance needs of working moms by creating an award for companies that take a leadership position in supporting employees with children.

The Working Mother 100 Best Companies Award has set the standard for best practices in support of working moms year after year. Companies must apply for the award annually by submitting statistical data to the magazine. The application includes, actually, some 700 questions this year on workforce compensation, child care, flexible work arrangements, parental leave policies, company culture, representation of women, health and wellness benefits, and much more.

We measure not only programs and policies of companies but also what percentage of employees have access to these benefits, and how many employees actually use the benefits. The application is revised annually by our editors and researchers to reflect progress that has been made in every cluster of information in order to keep encouraging forward movement.

We utilize proprietary software that objectively scores the data and comparatively ranks the companies. The corporate commitment needed to apply is enormous, some companies saying that it takes as much as 1,000 man hours to fill out our application. And the prestige generated by winning a place on the annual list is equally enormous.

We publish more that 90 pages of editorial material about the Working Mother 100 Best Companies in the October issue for our 2 million readers to read and learn from and for the H.R. professionals who also follow this issue in our magazine.

We manage a public relations campaign that generates nearly 1 billion media impressions about work-life balance all around the country and the world. We offer year-round coverage of our best company initiatives on workingmother.com, making that information searchable and available to a broad universe of interested parties, including companies, governments and individuals.

Also, we host every year the nation's largest conference on work-life issues with what we call the annual WorkLife Congress—very appropriately named—where 500 top human resource executives learn exactly how the programs, policies and practices of the Working Mother 100 Best Companies work, so that they can take these best practices back to their organizations and not have to reinvent the wheel at every organization.

The award proposed in the Woolsey-Miller bill will add a tremendous spotlight to the light that we all shine on the needs of working families, and we applaud anything that really helps bring the needs of working families into the forefront of the imagination of the American people and the American government.

I applaud your effort, and here is the tweak that I proposed of a public-private partnership. I believe that Working Mother Media and the other organizations that already have accomplished so much in this area should create a partnership with the U.S. government to alleviate some of the formidable challenges that this committee will face in launching this effort.

The partnership would draw upon the enormous work that we and others do for the 100 Best Companies Award, allowing Congress to recognize our winners or the winners of other organizations' lists, to celebrate them at a ceremony on Capitol Hill, and to participate in the WorkLife Congress and other conferences run by the other organizations.

Our 25 years of experience and their many years of experience—sorry, I told you I am renegade on time—will make the award proposed in the Woolsey-Miller bill effective, as well as efficient. We have used our unique methodology, proprietary software and our internal experts to support other workforce groups as well.

We reward the best companies for multicultural women, best law firms for women, best companies for hourly workers, and the best of Congress, which you know all about.

[The statement of Ms. Evans follows:]

Prepared Statement of Carol Evans, President, Working Mother Media

Madame Chairwoman, and Members of the Subcommittee, I am pleased to appear before you today to support the proposed Work-Life Balance Award Act of 2010 (H.R. 4855) introduced by Representatives Lynn Woolsey (CA) and George Miller (CA). I applaud this effort to raise awareness of work-life balance challenges faced by working mothers in the United States.

There are 31 million women in this country who are both employed and have children under the age of 18 living at home. Working mothers have fueled the U.S. economy for three decades by adding their productivity to the labor force while having children and raising the next generation of citizens. In recognition of the importance of keeping our workforce strong and our home front stable, government and companies should be doing all they can to support working moms.

In many countries around the world, government is in the lead in supporting working mothers, mandating paid parental leave, providing high-quality child care and requiring flexible work hours. In the United States, our government mandates unpaid maternity leave and requires equal pay by gender, but progressive support for working moms comes from companies-large and small, public and private, for profit and non-profit—voluntarily leading the way.

In October of this year, Working Mother magazine will celebrate the 25th anniversary of the Working Mother 100 Best Companies Award. This award began in 1986, when Working Mother magazine decided to shine a spotlight on the work-life balance needs of working moms by creating an award for companies that take a leadership position in supporting employees with children.

The Working Mother 100 Best Companies Award has set the standard for best practices in support of working moms year after year. Companies must apply for the award annually by submitting statistical data to the magazine.

The application includes some 600 questions on workforce compensation, child care, flexible work arrangements, parental leave policies, company culture, representation of women, health and wellness benefits and more. We measure not only programs and policies of companies, but also what percentage of employees has access to these benefits and how many employees actually use them.

The application is revised annually by our editors and researchers to reflect progress that has been made in every cluster of information in order to keep encouraging forward movement. We utilize proprietary software that objectively scores the data and comparatively ranks the companies. The corporate commitment needed to apply is enormous, as is the prestige generated by winning a place on the annual list.

We publish more than 90 pages of editorial about the Working Mother 100 Best in the October issue for our more than 2 million readers. We manage a public relations campaign that generates nearly a billion media impressions about work life balance.

We offer year-round coverage of our Best Companies initiatives on workingmother.com, making that information searchable and available to a broad universe of interested parties. We host the nation's largest conference on work life issues with the annual WorkLife Congress where 500 top human resource executives learn exactly how the programs, policies and practices of the Working Mother 100 Best Companies work so they can take these best practices back to their organizations.

The award proposed in the Woolsey-Miller bill will add to the tremendous spotlight we shine on the needs of working families. I applaud this effort. A partnership between Working Mother and the U.S. government might alleviate some of the formidable challenges the committee would face in launching this effort.

The partnership would draw upon the enormous work we do for the Working Mother 100 Best Companies Award, allowing Congress to recognize our winners, celebrate them at a ceremony on Capitol Hill and participate in the WorkLife Con-

gress. Our 25 years of expertise would make the award proposed in the Woolsey-Miller bill efficient as well as effective. Working Mother magazine has used our unique methodology, our proprietary software and our internal experts to support other workforce groups as well.

We reward the Best Companies for Multicultural Women, Best Law Firms for Women, Best Companies for Hourly Workers and Best of Congress, which has honored 26 members of this august body for the support they give to their own working mom and dad staffers.

Other organizations recognizing companies that excel at work life balance include the Families and Work Institute, Catalyst, and the Society of Women Engineers.

Chairwoman WOOLSEY. Good stopping place.

Ms. EVANS. Good stopping place, okay.

Chairwoman WOOLSEY. All right. Thank you very much, Carol.

Ms. EVANS. Thank you.

Chairwoman WOOLSEY. Ms. Lipnic?

STATEMENT OF HON. VICTORIA LIPNIC, COMMISSIONER, EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Ms. LIPNIC. Thank you, Chairwoman Woolsey, Congressman Wilson, members of the committee. Thank you for inviting me to testify before the subcommittee today. My name is Vicky Lipnic and, as you mentioned, as of 2 days ago I was sworn in as a commissioner at the EEOC.

Just prior to my appointment to the commission, I was an attorney with the national law firm of Seyfarth Shaw in the Washington, D.C. office, where I regularly counseled clients on labor and employment matters. And I have practiced labor and employment law for nearly 18 years, in many forums, including as Assistant Secretary of Labor for Employment Standards at the Labor Department.

And at the Labor Department I was responsible for enforcement of, among other things, affirmative action, and equal employment opportunity, and the Fair Labor Standards Act, and the Family and Medical Leave Act.

As you mentioned, Congressman Woolsey, and I just want to make clear, I am not in any way testifying in my capacity as a commissioner of the EEOC, and my testimony does not represent a position of the EEOC or the Obama administration.

I do want to thank you, though, Madame Chairwoman and Congresswoman McMorris Rodgers, and also Congressman Wilson, for your commitment to issues facing America's working families. And it is always, as you mentioned, a special honor for me to appear before this committee.

I also want to point out that I offer my testimony today with the full recognition of the extraordinary employment situation facing Americans in terms of the jobs situation. And one of six Americans is out of work.

We all know how many jobs we have lost over the past 2 years. And many Americans are facing and struggling to find work, and I am very cognizant of that situation and would not in any way want a discussion about workplace flexibility policies to diminish the priority of job creation.

Like many practitioners and policymakers involved in the labor and employment and—field over the last 20 years, I have studied much of the research that has been done in the area of workplace

flexibility and, as Carol mentioned, much of that started with the introduction of the Family and Medical Leave Act in the 1980s. There is a very well developed body of research on—in this area, and most of that has developed as the labor force participation rate of women has increased over the last 30 years.

And I won't get into all of that research. As I said, there is a very well developed body in that area.

A couple of things that I will point out, though, is that it—certainly, it is the case that for many years many employers have been looking for ways to provide more flexibility in the working lives of their employees, and they do this for all of the reasons that you mentioned, including recruiting, particularly for retaining workers, which becomes a very big issue in the private sector.

Just to offer some of my own experience, my experience with my law firm, Seyfarth Shaw—they offer a very well established alternative work schedule for attorneys. This program was specifically created with the recognition that the firm did not want to lose the talent in which it had invested significant time and energy but that not everyone wants or is able to meet the demands of a full-time schedule or a full-time legal practice.

The firm also has policies, which allow exempt employees to make use of technology and work from home, depending on their business needs, and many firms follow in this practice and, in fact, probably many of these firms have applied for the Working Mother magazine award.

The same is also true now—and I will point out with my once past, now current employer, the federal government, which offers flexible schedules depending on the operational needs of a particular office, and I know in particular in the Washington, D.C. metropolitan area that the federal government has encouraged and been encouraged by members of this committee in particular for quite some time to provide telecommuting options to many employees.

So overall, any initiative that encourages voluntary efforts for employers to offer workplace policies that work for their employees is something that I would support as a matter of public policy.

And I just want to turn very quickly, as I think all of the testimony will reflect today, there are many awards that are given in the private sector. And if I could just tell you briefly about my experience at the Labor Department and also at the Department of Commerce—I worked for three cabinet secretaries in my career, two Secretaries of Commerce, Malcolm Baldrige and William Verity, and Secretary of Labor Elaine Chao.

When I was much younger, I played a very small role in the development of the Malcolm Baldrige National Quality Award. That award was established by Congress in 1987. It is still around today. It is an annual award that recognizes U.S. organizations in business, health care, education, nonprofit, all for performance excellence in their organizations.

And I think if you look at that award, many of the companies who have won that award in the past will tell you that the mere process of going through the application and applying for that award and the criteria that they have to meet to try to get it has a dramatic impact on the organization.

The same certainly was my experience at the Department of Labor with the Office of Federal Contract Compliance Programs, which administers what is known as the Secretary's EVE Award. Those are awards that are given to companies for voluntary efforts on equal employment opportunity.

It is an extensive application process, and I presided over, along with the Secretary of Labor, that award every year at the Department of Labor, and I can tell you it was among the most meaningful things that I did as assistant secretary.

The organizations who received that award would tell you that it was incredibly valuable to them to have both gone through the process and then if they actually received the award, and that, I believe, was actually transformational. And I would hope that this award would have that same impact.

And the rest of my statement is in the record, and happy to help on any drafting issues with this bill. Thank you.

[The statement of Ms. Lipnic follows:]

Prepared Statement of Hon. Victoria A. Lipnic, Commissioner, U.S. Equal Employment Opportunity Commission

Good morning Chairwoman Woolsey, Ranking Member McMorris Rodgers and distinguished members of the subcommittee. Thank you for inviting me to testify before the subcommittee today. My name is Victoria Lipnic. I am, as of two days ago, a Commissioner with the U.S. Equal Employment Opportunity Commission. Just prior to my appointment to the Commission, I was an attorney with the national law firm Seyfarth Shaw LLP, resident in the Washington, D.C. office, where I regularly counseled clients on a variety of labor and employment issues. For nearly 18 years, I have practiced labor and employment law in many forums: in private practice; as in-house counsel; and in government service. I served as the Assistant Secretary of Labor for Employment Standards at the U.S. Department of Labor, where I was responsible for the administration and enforcement of numerous federal labor standards, including the Family and Medical Leave Act and the Fair Labor Standards Act and the equal employment opportunity and affirmative action obligations of federal contractors.

I am appearing before you today to offer my perspective on the recently introduced H.R. 4855, the "Work-Life Balance Award Act." I want to make clear that I am not in any way testifying in my official capacity as a Commissioner of the EEOC and my testimony does not represent a position of the EEOC or the Obama Administration.

First, I want to commend you Madame Chairwoman and Congresswoman McMorris Rodgers for your commitment to issues facing America's working families.

Second, as you may know, I have also served as counsel to this committee. It is always a special honor for me to be asked to appear here.

Third, I would like to point out that I offer my testimony today with full recognition of the extraordinary distress facing the American workforce in terms of the jobs situation. One in six Americans is out of work; weve lost 8 million jobs in the past two years and many American families are struggling to find (and keep) work. I am very cognizant of that situation and would not want any discussion about workplace flexibility policies to diminish the priority of job creation.

Like many practitioners and policymakers involved in the labor and employment legal and policy field, I have studied much of the research that has been done in the area of work life flexibility over the past nearly three decades. I have spent the better part of nearly 20 years studying this research, and I had a unique opportunity as Assistant Secretary of Labor to do so. Much of the research in the area of the work-life relationship evolved from the national conversation that began with the introduction of the first Family and Medical Leave Act proposal in the 1980's. At that time the conversation was focused on the choice that often faced workers who were dealing with a personal illness or caring for an ill family member: do I choose my (or my loved one's) health care or my job. With the passage of the Family and Medical Leave Act and the numerous state equivalents, the conversation has moved away from that central question and now includes a wide variety of issues related to the intersection of a worker's work life and home life. Today, the discussion incorporates much more than the concerns about the time for work and care-

giving (whether that is child care or elder care). In fact, society, in general and many workers, in particular, have changing attitudes about how much time people want to spend at work, to earn a decent living, and how much time those same people want to spend pursuing other interests. So, as an initial matter, I think the title of your bill—"Work-Life" balance is appropriate given how that national conversation, and the research that has gone into it has evolved—and will continue to evolve.

The desire for some balance between work and family has been with us since the Industrial Revolution. People moved off of family farms to manufacturing and other industrial settings, then moved to corporate workplaces. At each step, people left their homes and families to earn their livelihood. At each step the desire—and in many cases, the need—for balance has increased. It has continued, also, as the labor force participation rate of women has increased.[1] And certainly this desire for workplace flexibility—to help workers achieve that better balance for their families and careers—is well-documented in all of the research and employee surveys.

For many years now, many employers have been looking for ways to provide more flexibility in the working lives of their employees. They do this for many reasons including recruiting and, in particular, for retaining workers. Just to offer some private sector experience, for example, my prior law firm, Seyfarth Shaw, offers a well-established Alternative Work Schedule for attorneys. This program was specifically created with the recognition that the firm did not want to lose talent in whom it had invested significant time and energy, but that not everyone necessarily wants or is able to meet the demands of a full-time schedule or a full-time legal practice. The firm also has policies which allow exempt employees to make use of technology and work from home depending on the business needs. And, the firm encourages both legal and non-legal staff to take time to participate in community service, offering yet another recognition of the desire for work-life balance. Many firms have similar programs. The same is true with my now current employer, the federal government, which offers flexible schedules depending on the operational needs of a particular office. Also, the federal government, particularly in the Washington, D.C. metropolitan area has been encouraged by members of Congress for quite some time to provide telecommuting options to many employees where such work can appropriately be done.

So, any initiative that encourages voluntary efforts for employers to offer work-life policies that work best for their employees and meet their operational needs at the same time is worthwhile. I support such initiatives by private entities and as a matter of public policy. The ability of employers to have the creativity to adopt policies that work in their workplaces is critical to their ability to compete in our global economy.

Turning specifically to H.R. 4855, my approach generally on any proposed legislation, as a first principle of inquiry is: does the government need to do this?

Certainly, there are private sector organizations who provide similar recognition to what the Work-Life Balance Award would provide. The Alfred P. Sloan Award for Business Excellence in Workplace Flexibility (in conjunction with the U.S. Chamber of Commerce's Institute for a Competitive Workforce) has been around for many years. That award is backed by years of well-developed research and nationally representative data from the Families and Work Institute and uses benchmarked criteria. Working Mother magazine also has a well-established award where they name the "100 Best Companies to Work For" every year. Work-life balance policies are a part of that assessment. Fortune magazine names the "100 Best Companies" every year in partnership with the Great Place to Work Institute and conducts an extensive employee survey in corporate America. And there are many local chambers of commerce who give awards every year. A few years ago, I participated in a conference in conjunction with a similar benchmarked award about "great places to work" in Omaha, Nebraska.

On a local level, the cover story of the November 2009 edition of The Washingtonian magazine featured that magazine's biannual "Great Places to Work," after considering more than 200 employers and 13,000 employee surveys.

With so many similar awards already out in the marketplace, it is fair to ask whether this award will serve a worthwhile purpose? I think the answer to that is yes. Let me give you a couple of perspectives on that.

I have worked for three cabinet secretaries in my career. Two Secretaries of Commerce, Malcolm Baldrige and William Verity and Secretary of Labor Elaine Chao. In my tenure at the Department of Commerce, I played a small role in the establishment of the Malcolm Baldrige National Quality Award.[2] That award, established

[1] As of February 2010, the labor force participation rate of women is 58.6%.

[2] The Malcolm Baldrige National Quality Award, given annually, is the only formal recognition of the performance excellence of U.S. organizations given by the President of the United

by Congress in 1987 and still around today, is an annual award that recognizes U.S. organizations in the business, health care, education, and nonprofit sectors for performance excellence. Up to 18 awards may be given annually across six eligibility categories. As of 2009, 84 organizations had received this prestigious award; since 1988, 1,394 applications have been received from a wide variety of types and sizes of organizations. That award involves an extensive application and review process with very rigorous criteria to be met. Testimonials from many winners of the award in the past tell us that the mere process of applying for the award caused their organizations to evaluate and enhance and improve their business quality processes in ways they may not have done had they not aspired to win the Baldrige Award.

At the Department of Labor, the Office of Federal Contract Compliance Programs (OFCCP), which was part of my portfolio at the Department, annually gives Secretary of Labor's Opportunity Award, the Exemplary Voluntary Efforts (EVE) Awards, and the Exemplary Public Interest Contribution Awards (EPIC) (referred to collectively as "the EVE awards").[3] Those awards are given every year to organizations which exhibit best practices in equal employment opportunity. There is an extensive application process and many of the applicants will work with regional and district offices of OFCCP to assist with the application.

I participated in the EVE awards ceremony every year at the Department of Labor. The award winners send representatives of their organizations to the award ceremony. For the organization or company that received the highest award the Chief Executive Officer of the company would generally come to accept it. My experience with the OFCCP EVE awards was among the most meaningful things I participated in as Assistant Secretary. And that was because it was so evident how incredibly valuable it was to the organizations who received the award and how meaningful it was to the staff of OFCCP who participated in assisting the award winners.

There is tremendous prestige associated with winning an award from a Cabinet secretary. The prestige of receiving an award from the Secretary of Labor cannot be discounted in the analysis of whether the Work-Life Balance Award is worthwhile. In private practice, I have encountered a number of employers, clients of my former firm Seyfarth Shaw, who proudly told me they had received the Secretary of Labor's Opportunity or EVE award. My former firm encouraged employers to apply for the award as part of our affirmative action and diversity practice. Companies that may have won that award years ago, point to it as an example of how ahead of the time they were in the equal employment opportunity efforts. That award—for the organizations who receive it—I believe, is transformational. It serves a similar function to the Baldrige National Quality Award—the mere effort of applying for the award and having to raise the organization's performance level (in this case for equal employment opportunity efforts) had a major impact on the organization.

I would hope and expect that, if done well, the Secretary's Work-Life Balance Award would have the same impact.

Another important question to ask—given that there are other awards out in the marketplace—some of which get the winners on the covers of prominent magazines—is, is it worth going to the trouble of establishing it? In other words, will companies participate in the competition? I think the answer to that is yes, as well, for many of the same reasons described above.

States. It is administered by the Baldrige National Quality Program, which is based at and managed by the National Institute of Standards and Technology, an agency of the U.S. Department of Commerce. The Baldrige criteria for performance excellence are designed to help organizations improve their performance by focusing on two goals: delivering ever improving value to customers and improving the organization's overall performance. To apply for the award, organizations must submit details showing their achievements and improvements in seven key areas: leadership; strategic planning; customer and market focus; measurement, analysis, and knowledge management; workforce focus; process management; and results. See *http://www.nist.gov/public—affairs/factsheet/mbnqa.*

[3] Each year, the Secretary of Labor and the Director of OFCCP present these awards at a ceremony honoring federal contractors and non-profit organizations that exemplify best corporate practices. The Secretary of Labor's opportunity Award honors one federal contractor each year that has established and instituted comprehensive workforce strategies to ensure equal employment opportunity. The Exemplary Voluntary Efforts (EVE) Award honors federal contractors that have demonstrated through programs or activities, exemplary and innovative efforts to increase the employment opportunities of employees, including minorities, women, individuals with disabilities, and veterans. The Exemplary Public Interest Contribution (EPIC) Award honors public interest organizations that have supported equal employment opportunity and linked their efforts with those of federal contractors to enhance the equal employment opportunities for minorities, women, individuals with disabilities, and veterans. These awards have been given by the Department of Labor since 1988. See *http://www.dol.gov/ofccp.*

Let me point out a few general issues with the bill and then some specific drafting questions.

The bill may not need to specify this, but you should consider including in report language or statements for the record on the floor: the award should be housed and dedicated to a particular agency at the Department of Labor and not in the Office of the Secretary. As the bill recognizes, once the Board establishes the specific criteria for the award, it is critical to have and develop the institutional and career staff experience at the Department of Labor with the award. There is, for example, years of experience at the Department of Labor with how the Office of Federal Contract Compliance Programs administers the Secretary's EVE awards. No such institutional experience exists in the Office of the Secretary. The same applies to the Baldrige National Quality Award which is administered by the National Institute of Standards and Technology at the Department of Commerce. Given the issues addressed by the Work-Life Balance Award, the Department's Women's Bureau may be a very likely place to house this award at the Department of Labor.

Second, I would ensure that the award comes out of existing funds at the Department. The Department of Labor received significant increases in its budget through the stimulus bill last year (the American Recovery and Reinvestment Act) along with the further resources it received through the fiscal year 2010 appropriation.[4] The Department has requested more resources for this year's fiscal year 2011 budget. The Women's Bureau received an increase in the fiscal year 2010 budget and has asked for more resources in the proposed fiscal year 2011 budget.[5]

Finally, because this is a legislative hearing, let me turn to some specific comments about the drafting of particular provisions in the bill.

In "Sec. 2. Definitions (2)" provides that "the term "work-life balance policy" means a workplace practice designed to enable employees to achieve a satisfactory work-life balance" (emphasis added.) In contrast, "Sec. 4. Work-Life Balance Advisory Board (b)" which deals with the responsibilities of the Board to set criteria to determine the recipients of the award provides in (A) that the Board should "Identify those work-life balance policies, which if properly implemented, will permit employees to achieve a work-life balance." I'm not sure what the standard is for "if properly implemented". Secondly, is there some difference between the standard set out in the definitions of "workplace practice designed to enable employees to achieve a satisfactory work-life balance"—versus the language in Sec. 4 (b)(A) as to "if properly implemented, will permit employees to achieve a work-life balance?"

In "Sec. 4, under (b) Duties" clause (B) provides that the Board shall "take into consideration an employer's record of compliance, or noncompliance, with Federal and State labor laws." While I understand the importance of this provision, it is potentially fraught with problems. I think it would be very important for the Board to be completely transparent about the criteria for judging an employer's "record of compliance or noncompliance with Federal and State labor laws." Let me give you an example—there are some very well known employers who have some of the most well-developed and ahead-of-the-curve work-life policies who are also being sued for alleged violations of the wage and hour laws, both at a federal and a state level. They may end up settling those cases for millions of dollars with no admission of liability. If they settle those cases, how will that be viewed in terms of compliance or noncompliance with Federal or State labor laws?

In "Sec. 4 (b) Duties, clause (C) provides that the Board shall "seek input from all interested parties to assist in making a determination of the recipients of the Award, including input from stakeholders." It strikes me that the "input from interested parties * * * including input from stakeholders" should come at the beginning of the process—that is in establishing the criteria for the award, not in actually participating in judging who the recipients are. Making the decisions about the award winners, in order to ensure its objectivity, should be exclusive province of the Board, with the assistance of dedicated Department of Labor staff.

In "Sec. 4 (d) Membership," clause "(4) Political Affiliation"—this clause puts a limitation on the Secretary such that "not more than 4 members of the Board appointed under paragraph (1) may be of the same political party." I question whether that clause is necessary given that the Secretary of Labor can only appoint members

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[4] The Department of Labor (DOL) received $4.846 billion in discretionary funding in the stimulus bill (a 37.1% increase over 2009 appropriations) and $29.521 billion in mandatory funding (mostly for unemployment insurance) for a total of #24.367 billion (or 31.8% of their total 2009 appropriations. DOL received $14.267 billion in discretionary funding in the fiscal year 2010 appropriations bill and $147.736 billion in mandatory funding (mostly unemployment insurance) for a total of $162.002 billion.

[5] The Women's Bureau had a budget of $10.419 million in fiscal year 2009. It received no additional funds in the stimulus bill, $11.604 million in the fiscal year 2010 appropriations, and has requested $12.255 million for fiscal year 2011.

to the Board based on the recommendations of "the Speaker and the minority leader of the House of Representatives" and the "majority and minority leader of the Senate."

Finally, "Sec. 5. Regulations," provides "The Secretary may prescribe regulations to carry out the purposes of this Act." Even though this is written in the permissive, such that there is no requirement that the Secretary issue regulations, it seems unnecessary to me. Regulations are about controlling behaviors and specifying outcomes for enforcement purposes. In the case of this award, I do not see a reason for the Secretary to be regulating.

Again, Chairwoman Woolsey and Ranking Member McMorris Rodgers thank you for inviting me to testify. I'd be happy to take your questions.

Chairwoman WOOLSEY. Thank you very much.

Ms. Gorman?

STATEMENT OF CHINA MINER GORMAN, CHIEF GLOBAL MEMBER ENGAGEMENT OFFICER, SOCIETY FOR HUMAN RESOURCE MANAGEMENT

Ms. GORMAN. Chairwoman Woolsey, Congressman Wilson and distinguished members of the subcommittee, I am China Gorman. As you know, I am the chief global member engagement officer for the Society of Human Resource Management, or SHRM.

Representing more than 250,000 individual H.R. members, SHRM is the world's largest association devoted to serving the needs of human resource professionals and to advancing the best people management policies and practices.

SHRM's members are responsible for designing and implementing organizations' benefit plans and policies that enable employees to meet the dual demands of work and their personal lives. Given the practical experience SHRM and its members possess, we have a unique voice and perspective when it comes to the issue of workplace flexibility.

The bill before us would create the Work-Life Balance Award within the Department of Labor to recognize employers that are using innovative policies not only to enable employees to achieve a satisfactory work-life balance but to be more productive and more engaged in their work.

SHRM commends both Chairwoman Woolsey and Ranking Member McMorris Rodgers for your leadership in developing this legislation, and we at SHRM support the Work-Life Balance Award Act. This is a reasonable bill designed to recognize those organizations who are delivering benefits that truly help their employees better balance their work and personal life obligations.

This legislation affirms a key SHRM principle, incentives that encourage organizations to offer flexible workplace benefits and policies, allow employers to better meet the needs of their workforce, while also contributing to organizational success.

As I have said in previous testimony to this subcommittee, our profession believes in the competitive advantages gained by any employer who offers a truly flexible workplace environment. Our members, who work in leading corporations and nonprofit organizations, have seen firsthand the impact that innovative benefits packages have on productivity, on morale, on employee engagement, and the ability to recruit and retain the best minds in the world.

Further, H.R. professionals know that many of the most successful programs and policies are the result of local initiatives and in-

novations designed to respond to employees' needs, not from imposing a government mandate.

At SHRM we strive—we strive to lead our members by example when it comes to workplace flexibility by offering a number of flexible work options, paid leave and policies that convey a message to our employees that we value and support their life outside of work. A significant number of our roughly 350 employees utilize compressed work weeks, flex scheduling, telecommuting options and part-time work.

Based on both our experience and the experience of our 250,000 members, SHRM believes it is time to give employees choices and to give employers more predictability when it comes to workplace flexibility public policy. We believe employers should be encouraged to provide important work flex options that meet the needs of their work forces.

While not the only solution, this bill moves in the right direction by serving as a catalyst to encourage more employers to adopt flexible work places. It will help foster the kind of creativity and innovation in the design of benefits plans that reflect employee and employer preferences.

Last month, for example, SHRM hosted a Global Diversity & Inclusion Thought Leaders Summit, which brought together more than 100 senior-level public and private sector executives to explore innovative solutions that address several of the world's most pressing talent management challenges, including workplace flexibility.

We continue to work with family advocates as well as other employee and employer groups to develop consensus proposals on expanding flexible work arrangements.

In recognition of our leadership on this important issue, SHRM was invited to participate in the recent White House forum on workplace flexibility. This historic event helped highlight the many unique and innovative approaches employers are implementing to address employees' work-life needs.

We are also hopeful that the effort mentioned above and the good work on this bill will lead to greater dialogue about workable public policy. Effective workplace policies must benefit both employees and employers, which is why government-mandated imposition of so-called flexibility won't work.

Productive and engaged employees thrive when they are permitted to work in ways that allow them to do their best. It is not possible to mandate a practice that is innovative for every workplace, that takes into account every type of worker and work situation, or that allows every employee to contribute in his or her own way.

Instead, we need to encourage, not restrict, employers to develop new, more flexible ways to meet the needs of their employees and allow them to do their best.

SHRM continues to advocate an alternative approach that for the first time reflects the different needs of individual workers plus the differences in work environments, union representation, industries, as well as organizational size.

The Work-Life Balance Award Act is commendable in its intent, and it has the support of SHRM and our 250,000 members. I also pledge to this subcommittee that SHRM is committed to working

with you and other members of Congress in crafting workplace flexibility public policy that works, policy that is designed for the workplaces of this century, not those of the past.

Thank you.

[The statement of Ms. Gorman follows:]

Prepared Statement of China Miner Gorman, Chief Global Member Engagement Officer, Society for Human Resource Management

Chairwoman Woolsey, Ranking Member McMorris Rodgers, and distinguished members of the Subcommittee, my name is China Miner Gorman. I am the Chief Global Member Engagement Officer of the Society for Human Resource Management (SHRM), the world's largest association devoted to serving the needs of human resource professionals and to advancing the HR profession. On behalf of our approximately 250,000 members, I thank you for the opportunity to appear before the Subcommittee as we discuss workplace flexibility and H.R. 4855, the Work-Life Balance Award Act.

SHRM's members are the professionals responsible for designing and implementing organizations' benefit plans, programs and policies that enable employees to meet the dual demands of their work and personal life. HR professionals are continuously exploring ways to design policies that improve employee morale, engagement and retention—essential elements in developing and maintaining a productive and competitive workforce. Given the practical experience SHRM and its members possess, we believe we are uniquely positioned to provide insight on this legislation and the issue of workplace flexibility.

H.R. 4855, the Work-Life Balance Award Act

The focus of today's hearing is on H.R. 4855, the Work-Life Balance Award Act. This legislation would create the Work-Life Balance Award within the Department of Labor (DOL) to recognize employers that have developed and implemented innovative policies to enable employees to achieve a satisfactory work-life balance. The bill establishes a nine-member, independent Advisory Board within the DOL composed of representatives of employee and employer groups to develop award criteria and select recipients.

SHRM commends both Chairwoman Woolsey and Ranking Member McMorris Rodgers for their leadership in developing this legislation. We appreciate the bipartisan approach you undertook in negotiating the details of this bill and your willingness to incorporate changes based on the input from SHRM and other stakeholder groups. SHRM believes that this type of bipartisan approach to developing legislation, with open dialogue and input from both employee and employer groups, results in fewer unintended consequences and better workplace public policy.

SHRM and its members support the Work-Life Balance Award Act, a commonsense bill to recognize and showcase those public and private organizations delivering benefit plans and policies that truly help their employees better balance their work and personal life obligations. We believe this measure is complementary to the philosophy of SHRM and its members, and highlights the importance of workplace flexibility. H.R. 4855 affirms a key SHRM principle with regard to workplace flexibility public policy—encouraging organizations to be innovative and flexible in the ways they offer flexible workplace benefits and policies can ultimately enable employers to better meet the needs of their workforce while also contributing to an organization's success.

Certainly, recognizing employers for innovative work-life programs is nothing new, with many successful awards initiatives in existence today. For example, many are familiar with Forbes magazine's "100 Best Companies to Work For," Working Mother magazine's "Working Mother 100 Best Companies" and the leading national organizations awarded a coveted member of these exclusive lists.

A pioneering program in the workplace flexibility arena funded by the Alfred P. Sloan Foundation is When Work Works. The program, a project of the Families and Work Institute in partnership with the U.S. Chamber of Commerce's Institute for a Competitive Workforce and the Twiga Foundation, recognizes employers, including small and mid-sized organizations, for their workplace flexibility programs with the influential Alfred P. Sloan Awards for Business Excellence in Workplace Flexibility. All of these outstanding initiatives have contributed to raising the profile of the important business implications associated with being an "employer of choice."

Since there are many thriving awards programs currently in place, some may question the need to establish another award of this nature within the DOL. SHRM appreciates this concern and believes H.R. 4855 would complement these other

awards programs. We also encourage policymakers to consider these other award initiatives as this legislation moves forward. There may in fact be opportunities to learn from and/or collaborate with existing awards programs that could ultimately strengthen this type of federal award. In addition, we believe that the Work-Life Balance Award Act will be helpful in shining a national spotlight on an issue of societal importance. Congress, in 1987, took a similar approach to address concerns over the quality and productivity of American business as it faced increased global competition by creating the Malcolm Baldrige National Quality Award. The award program, which is housed at the National Institutes of Standards & Technology, recognizes those companies and organizations that take steps to improve the quality and productivity of their businesses.

SHRM's Commitment to Workplace Flexibility

Workplace demographics are changing. More employees, especially younger workers, are demanding flexible workplace arrangements. In addition, according to the Families and Work Institute, men are also experiencing an increased amount of work-life conflict. In response, companies are implementing workplace flexibility programs as part of a business strategy to enhance productivity and profitability. Many leading organizations have already implemented successful workplace flexibility programs. The results: more loyal employees, improved employee retention, better customer service, and increased productivity.

Our profession believes in the competitive advantages gained by any employer who offers a truly flexible workplace environment. HR professionals believe that many of the successful programs and policies that are in the workplace today have been developed through local initiative and innovation responding to employee needs in balancing work and family obligations, not from imposing a government mandate.

At SHRM, we strive to lead our members by example when it comes to workplace flexibility by offering a number of flexible work options, paid leave, and important policies that convey a message to our employees that we value and support their life outside of work. A significant amount of our roughly 350 employees utilize compressed work weeks, flex scheduling, telecommuting options, and part-time work. In addition, SHRM's standard work week is 37.5 hours. These policies are available to be requested by all SHRM employees, but the specific work arrangements are left to the individual supervisor and employee to finalize. For example, employees in SHRM's HR Knowledge Center, who answer questions from our members on a host of HR issues, almost exclusively work from home. SHRM's Regional Field Directors, whose job it is to serve as liaisons between our state councils and chapters, have their home as their principal office. Our Regional Field Directors conduct most of their business virtually, through conference calls and web conferences.

The Importance of Workplace Flexibility: A New Approach

Based on both our experience and the experience of our members, SHRM believes it's time to give employees choices, and to give employers more predictability when it comes to workplace flexibility public policy. We believe employers should be encouraged to provide important work-flex options, including paid leave, that their workforces need. Although not the only solution, your bipartisan bill, the Work-Life Balance Award Act, moves in the right direction by serving as a catalyst to encourage more employers to adopt flexible workplaces. It will help foster expansion of the kind of creativity and innovation in the design of benefits plans that reflect employee and employer preferences.

At SHRM, we are committed to leading a new dialogue on workplace flexibility, one that incorporates employee and employer perspectives. Last month, SHRM hosted a Global Diversity and Inclusion Thought Leaders' Summit which brought together 100 senior-level public and private sector executives to explore innovative solutions to address several of the world's most pressing talent management challenges, including workplace flexibility. Many of the best and brightest minds in the field noted the positive bottom-line impact of flexible work arrangements. For example, when employers utilized new innovations and technologies to promote flexibility—focusing on output and results versus hours worked and/or face time—productivity rose, turnover declined, and employee engagement and morale increased.

In recognition of our leadership on this important issue, SHRM was invited to participate in the recent White House Forum on Workplace Flexibility. This historic event helped highlight the many unique and innovative approaches employers are implementing to address employees' work-life needs. During a breakout session on the changing American workforce, Mike Aitken, SHRM's Director of Government Relations, noted that many employers encounter challenges with outdated labor laws when designing innovative, 21st Century workplace policies and programs. In

addition, we were heartened to hear that under Director John Berry, the United States Office of Personnel Management will pilot several flexible work arrangements, including a Results-Only Work Environment (ROWE), telecommuting and other flexible work arrangements. This is a positive development and we look forward to the federal government's leadership in this area.

SHRM's efforts to broaden the dialogue on workplace flexibility are ongoing. We continue to work with family advocates, including the National Partnership for Women and Families, Workplace Flexibility 2010, the American Association of People with Disabilities, as well as other stakeholder groups, to highlight the importance of Flexible Work Arrangements (FWAs) to both employers and employees. SHRM and these diverse stakeholders partnered in late 2009 to hold congressional briefings to emphasize our belief that flexibility is the key to meeting the varied needs of the 21st Century workplace. We are currently exploring elements of common ground on policy ideas for expanding FWAs in U.S. workplaces, with the hope that FWAs will be more widely accessible in more workplaces around the country in the not-so-distant future.

We are also hopeful that the effort mentioned above will lead to more dialogue about workable public policy in this critically important area. To be effective, workplace policies must work for both employers and employees, which is why government-mandated imposition of so-called flexibility won't work. Instead, employers need to not be restricted by proscriptive government rules, so that they can create innovative and more flexible ways to meet the needs of their employees. Accordingly, SHRM continues to advocate an alternative approach that—for the first time—reflects the different needs of individual workers, plus the differences in work environments, union representation, industries and organizational size.

SHRM, and the HR profession it represents, believe that employers—not the government—are in the best position to know the benefits preferences of their employees. When you impose a mandate, you remove or restrict an employer's flexibility in shaping policies that don't create undue hardships for either of the two parties in the equation. But when customized situational policies are in place, everybody wins. Employees get support in balancing work and life outside work, and employers get stability and predictability. The type of recognition provided by the Work-Life Balance Award would be a step in the right direction in encouraging more of those win-win scenarios.

SHRM's Principles for a 21st Century Workplace Flexibility Policy

SHRM has developed a set of five principles to help guide the creation of a new workplace flexibility public policy. I have outlined our principles below:

Shared Needs—SHRM envisions a "safe harbor" standard where employers voluntarily provide a specified number of paid leave days for employees to use for any purpose, consistent with the employer's policies or collective bargaining agreements. A federal policy should:

- Provide certainty, predictability and accountability for employees and employers.
- Encourage employers to offer paid leave under a uniform and coordinated set of rules that would replace and simplify the confusing—and often conflicting—existing patchwork of regulations.
- Create administrative and compliance incentives for employers who offer paid leave by offering them a safe-harbor standard that would facilitate compliance and save on administrative costs.
- Allow for different work environments, union representation, industries and organizational size.
- Permit employers that voluntarily meet safe harbor leave standards to satisfy federal, state and local leave requirements.

Employee Leave—Employers should be encouraged voluntarily to provide paid leave to help employees meet work and personal life obligations through the safe-harbor leave standard. A federal policy should:

- Encourage employers to offer employees with some level of paid leave that meets minimum eligibility requirements as allowed under the employer's safe-harbor plan.
- Allow the employee to use the leave for illness, vacation, personal and family needs.
- Require employers to create a plan document, made available to all eligible employees, that fulfills the requirements of the safe-harbor.
- Require the employer to attest to the U.S. Department of Labor that the plan meets the safe harbor requirements.

Flexibility—A federal workplace leave policy should encourage maximum flexibility for both employees and employers. A federal policy should:

• Permit the leave requirement to be satisfied by following the policies and parameters of an employer plan or collective bargaining agreement, where applicable, consistent with the safe harbor provisions.

• Provide employers with predictability and stability in workforce operations.

• Provide employees with the predictability and stability necessary to meet personal needs.

Scalability—A federal workplace leave policy must avoid a mandated one-size-fits-all approach and instead recognize that paid leave offerings should accommodate the increasing diversity in workforce needs and environments. A federal policy should:

• Allow leave benefits to be scaled to the number of employees at an organization; the organization's type of operations; talent and staffing availability; market and competitive forces; and collective bargaining arrangements.

• Provide pro-rated leave benefits to full-and part-time employees as applicable under the employer plan, which is tailored to the specific workforce needs and consistent with the safe harbor.

Flexible Work Options—Employees and employers can benefit from a public policy that meets the diverse needs of the workplace in supporting and encouraging flexible work options such as telecommuting, flexible work arrangements, job sharing and compressed or reduced schedules. Federal statutes that impede these offerings should be updated to provide employers and employees with maximum flexibility to balance work and personal needs. A federal policy should:

• Amend federal law to allow employees to balance work and family needs through flexible work options such as telecommuting, flextime, part-time, job sharing and compressed or reduced schedules.

• Permit employees to choose either earning compensatory time off for work hours beyond the established work week, or overtime wages.

• Clarify federal law to strengthen existing leave statutes to ensure they work for both employees and employers.

Conclusion

The Work-Life Balance Award Act is commendable in its intent, and it has the support of SHRM's 250,000 members. This is a common-sense bill to recognize and showcase those public and private organizations delivering benefit plans and policies that truly help their employees better balance their work and personal life obligations. We believe this measure is complementary to the philosophy of SHRM and its members and highlights the importance of workplace flexibility.

I also pledge to this subcommittee that SHRM is committed to working with you and other members of Congress in crafting workplace flexibility public policy that works—one that is designed for the workplaces of this century, not those of the past.

Chairwoman WOOLSEY. Thank you.

Ms. Wu?

STATEMENT OF PORTIA WU, VICE PRESIDENT, NATIONAL PARTNERSHIP FOR WOMEN AND FAMILIES

Ms. WU. Chairwoman Woolsey, Representative Wilson, members of the subcommittee, thank you for inviting me here to testify on behalf of the National Partnership for Women and Families. We appreciate the bipartisan interest in this issue.

And, Madam Chair, I particularly want to thank you. As the lead sponsor of the Balancing Act, the FIRST Act and the Domestic Violence Leave Act, you have been a true champion for working women and men.

The National Partnership is pleased to support the Work-Life Balance Award Act, and we urge the committee and the House to consider it as soon as possible. This legislation comes at a critical time, when Americans are facing increased responsibilities at home and at work.

Women continue to be key care givers, but they also make up half of America's workforce, and their incomes are increasingly important to families' economic survival.

Four in 10 mothers are the primary breadwinners in their households, and two-thirds of mothers contribute significantly to their families' income. Working men are also investing more time in child care. And many more Americans are taking on elder care responsibilities as our population ages.

But while our society has changed, our public policies have not kept up.

Madam Chair, as you highlighted, our only national work-family law, the Family and Medical Leave Act, has helped millions of workers, but there are many needs it does not address. A huge portion of our population is not covered by the law, and many of those who are cannot afford to take the unpaid leave that the law provides.

The economic crisis of the past 2 years has only intensified the need for action. Already vulnerable workers fear that asking for leave will jeopardize their jobs and economic security. In this climate, workplace policies that enable men and women by setting minimum standards to allow them to meet family and health needs without risking their job or income are more important than ever.

Strong work-family policies not only help workers and their families, they are also good for businesses. They reduce turnover and illness-related costs, and we all benefit from the reduced spread of disease and lower health care costs when people can seek needed preventive care and also attend to urgent medical conditions.

With these benefits for businesses, families, our economy and public health, it is no wonder that the overwhelming majority of Americans support common-sense policies that will help them meet the dual demands of work and family.

It is time for our country's laws to catch up with our society's values. That starts with a national dialogue about policies that will help workers meet their family and work obligations. Toward this goal, we greatly appreciate the Obama administration's decision to convene a workplace flexibility forum.

We recognize the wonderful work that Working Mother magazine and others have done to recognize employers. And we believe the Work-Life Balance Award Act plays a very important part in this process by recognizing employers that have led the way. We hope this award will provide a powerful incentive for more companies to adopt strong work-family policies.

Madam Chair, you asked about possible criteria that could be used in applying an awards process of this kind. We respectfully suggest some requirements that could highlight best practices that benefit both employees and employers. First, it is vital to recognize the importance of paid leave.

This includes paid sick days for workers and their families to address immediate medical needs and obtain preventive care. It also includes longer term paid leave for chronic or serious medical conditions.

And because there are many families needs that do not fall within these categories, it is important to recognize policies that permit employees to structure flexible work arrangements. Policies must also be fair. That means they should apply equally to all workers at a company, and workers must be able to use leave or flexible ar-

rangements without being penalized or losing the opportunity for promotion or higher wages.

Finally, we believe that policy makers, businesses and the public would benefit from more information about the types of work-family policies adopted in the private sector. We therefore recommend that the process include the collection and sharing of data about the use and uptake of leave and flexibility programs.

I think that Ms. Evans made a really important point. It is not just that you offer the programs, but you have to know if workers are really able to use and access them.

And there were also many other wonderful suggestions which we support that the panelists have offered and, Madam Chair, you raised.

In conclusion, the National Partnership for Woman and Families commends and thanks the co-sponsors of this bill. We look forward to working with you on this and other legislation that will benefit working families.

[The statement of Ms. Wu follows:]

Prepared Statement of Portia Wu, Vice President, National Partnership for Women and Families

Chairwoman Woolsey, Ranking Member McMorris Rodgers, Members of the Committee, thank you for inviting me here to testify on behalf of the National Partnership for Women and Families ("National Partnership"). I particularly want to thank Representative Woolsey. As the lead sponsor of the Balancing Act, the FIRST Act, and the Domestic Violence Leave Act, you have truly been a tireless and effective champion for working women and men.

I am Portia Wu, Vice President at the National Partnership, a non-profit, non-partisan advocacy group dedicated to promoting fairness in the workplace, access to quality health care, and policies that help individuals meet the dual demands of work and family. The National Partnership led the eight-year fight to pass the Family and Medical Leave Act and is a national leader in advocating for laws that help workers meet work-family demands. We are pleased to support the Work-Life Balance Award of 2010 and urge the Committee and the House to consider it as soon as possible.

This legislation comes at a critical time. Women now make up half of America's workforce, and their incomes are increasingly important to families' economic survival. At the same time, women continue to have primary responsibility for family caregiving. Today, four out of ten mothers are the primary breadwinners in their households and two-thirds of mothers contribute significantly to their families' income.[1] Working men are also investing more time in child care.[2] And many more Americans are assuming eldercare responsibilities[3]—a trend that will intensify as our country's population ages.

But while our society has changed, our public policies have not kept up. Our single national work-family law, the Family and Medical Leave Act (FMLA), provides only unpaid leave.[4] It has helped millions of workers over the last 17 years, but there are many challenges facing working families that the FMLA does not address. Millions of workers are not covered by the FMLA at all, and many of those who are cannot afford to take the unpaid leave the law provides.[5] The United States is the only industrialized nation with no national policy to ensure that workers are financially able to take time off for day-to-day medical needs, serious illness[6] or to care for a new child.

The economic crisis of the past two years and the shrinking job market have intensified the problem. Already-vulnerable workers fear that they will risk their jobs and economic security by taking leave, asserting their rights and sometimes even by exploring their options.[7] In this kind of climate, recognizing workplace policies that enable men and women to meet family and health needs without sacrificing their jobs and income is more important than ever.

Strong work-family policies not only benefit workers and their families, they also benefit businesses. Such policies boost worker commitment, productivity, and morale, and employers reap the resulting benefits of lower turnover and training costs.[8] And both employers and the public benefit from reduced spread of disease and lower health care costs when employees and their families can seek preventive

care or attend to urgent medical conditions.[9] With these benefits for businesses, families, our economy and public health, it is no wonder that the overwhelming majority of Americans support common-sense policies that help workers meet the dual demands of work and family.

The National Partnership welcomes the opportunity to work with Congress and the Administration to address these urgent needs. That starts with a national dialogue about government policies that help workers meet these obligations.

An important first step is recognizing employers that have already adopted family-friendly policies. We applaud the work that organizations like Working Mother Magazine have done to raise the profile of these issues by highlighting businesses that help employees honor their family commitments. And we believe that the national award proposed by this legislation would serve as a powerful additional incentive for companies to adopt strong work-family policies.

While the bill leaves it up to a selected Board to determine the criteria used to confer these awards, we respectfully suggest some key requirements that should be met, so that the award recognizes true best practices that benefit employees and employers.

First, the award process should recognize the importance of work-family policies that provide paid sick days for workers to handle immediate medical needs and obtain preventive care for themselves and their families, as well as longer-term paid leave to address chronic and serious medical conditions. And because there are many family needs in addition to those related to healthcare, we recommend that the Board recognize the value of workplace policies that permit employees to structure flexible work arrangements. We also recommend that the scope of family members covered by these policies be drawn broadly to encompass the reality of modern families.

In addition, it is critical that policies recognized by this award apply equally to all workers at a company. Finally, workers should be able to avail themselves of offered leave or flexible arrangements without being penalized or losing opportunities for promotion or higher wages.

We also believe that policymakers, businesses and the public would benefit from broader and more detailed information about the scope and type of work-family policies being adopted in the private sector. We therefore recommend that the awards process involve the collection and dissemination of data about companies' work-family policies. This could include data about availability and uptake of work-family programs.

We hope the Committee will consider these recommendations as it moves forward with this legislation.

In conclusion, the National Partnership for Women and Families commends and thanks the cosponsors of this bill. We look forward to working with you on this and other legislation that will benefit working families.

ENDNOTES

[1] Heather Boushey and Ann O'Leary, Our Working Nation (March 2010) 1.

[2] Ellen Galinsky, Kerstin Aumann, James T. Bond, Times Are Changing: Gender and Generation at Work and at Home. (Families and Work Institute 2009) 14-17.

[3] Caregiving in the U.S. (National Alliance for Caregiving 2009) 15.

[4] The FMLA provides leave for workers to address needs arising from a serious illness; the serious illness of a minor child, spouse, or parent; or to care for a new baby or newly adopted or foster child without fear of losing their jobs. The law was recently amended to allow the families of military members extended leave to care for an injured servicemember or veteran and to address qualifying exigencies arising out of the deployment of a family member.

[5] A survey commissioned by the U.S. Department of Labor found that 78 percent of employees who qualified for FMLA leave and needed to take it did not do so because they could not afford to go without a paycheck. Department of Labor 2000 Survey Report, *www.dol.gov/whd/fmla/toc.htm.*

[6] Jody Heymann, et al, Center for Economic and Policy Research, Contagion Nation: A Comparison of Paid Sick Day Policies in 22 Countries, May 2009, *www.cepr.net/index.php/publications/reports/contagion-nation:-acomparison-of-paid-sick-day-policies-in-22-countries/*.

[7] See Evercare/National Alliance of Caregivers, Survey of the Economic Downturn and its Impact on Family Caregiving, April 2009 (workers report that the recession has caused them to be more concerned about taking time off to provided needed care for others) *www.caregiving.org/data/EVC—Caregivers—Economy—Report%20FINAL—428-09.pdf.*

[8] See Christine Siegwarth Meyer, Work-Family Benefits: Which Ones Maximize Profits?, Journal of Managerial Issues, vol. 13, no. 1, Spring 2001; Corporate Voices for Working Families, Innovative Workplace Flexibility Options for Hourly Workers, 2009 *http://www.cvworkingfamilies.org/system/files/CVWF%20report-FINAL.pdf.*

[9] Jonathan Heller, Human Impact Partners, Health Impact Assessment of the Healthy Families Act, 2009, *www.humanimpact.org/psd.*

Chairwoman WOOLSEY. Thank you very much, all four of you. Thank you for supporting our bill. I appreciate you very much.

Ms. Wu, you started it, so I am going to go down the other three witnesses and ask each of you, starting with you, Ms. Evans, what do you think would be the most important criteria requirement that we would accept from an employer?

Ms. EVANS. Well, I believe that——

Chairwoman WOOLSEY. You need to turn on your microphone.

Ms. EVANS. Thank you. I need instruction. I think that, you know, we measure eight clusters of information at Working Mother on our application, and I think it is important to have a broad enough spectrum of questions.

However, this bill could really choose to focus on a narrower band of questions than what we do, as a possible idea, to highlight stuff that is very urgent, like paid maternity and paternity leave, flexible work arrangements and child care.

I mean, I think those are the three key areas that are most in need of support so, you know, either—if you go very broad, like we do, that leads to the 700 questionnaire application. If you go narrow, you know, you could focus more public attention on the critical factors—flex, child care and paid leave.

And paid leave, by the way, includes—of sick leave as well as——

Chairwoman WOOLSEY. Sick leave.

Ms. EVANS [continuing]. Maternity leave and disability.

Chairwoman WOOLSEY. Okay. Thank you very much.

Ms. Lipnic?

Ms. LIPNIC. Chairwoman Woolsey, I think the first thing that I would look at is, one, the benchmark as what are the operational needs of the business, and then how are they able to provide flexibility in many ways to their employees.

And that would particularly include do they have some kind of work-sharing arrangements, flexible work schedules, what are their arrangements for part-time workers.

You know, particularly many women work part-time. They want to work part-time. That often becomes a benefits issue for women. So I would look at that. I would also certainly look at what kind of both short-term and long-term disability programs they might have.

But because this award is really about staying in the workforce and being able to manage your personal life how—and whatever your caregiving needs are, or whatever your interests are at the same time, I think it has to be a lot about what the flexibility is, and certainly, you know, in compliance with all of the requirements under the Fair Labor Standards Act.

But I think there are a lot of ways that employers can offer more flexible schedules. Some of that actually in terms of, like I said, part-time benefits or reduced schedules may result in lesser income for certain workers, but I think a lot of people in a lot of the surveys show that people, you know, are interested in being in the workforce and having that flexibility at the same time.

Chairwoman WOOLSEY. Thank you.

Ms. Gorman, I know flexibility is it. Name the other ones you believe would be important.

Ms. GORMAN. Turn the microphone on. SHRM believes that the flexibility part is critical, and—just as Ms. Lipnic was speaking.

We also need to take into account different kinds of business, different sizes of businesses, public and private, different industries, because flexibility means different things in different organizational contexts, and so not just the level of the employee, but also the kind of work that is being done, the kind of industry and the kind of competitive benchmarks that are set with an industry.

So we would encourage great flexibility as the—as the committee puts together the requirements for applying for the award going forward.

Chairwoman WOOLSEY. Thank you.

Ms. Wu, just because you get the last words here, tell us what you think these—what do these incentives do for employers? Why does it matter if we do something like this?

Ms. WU. I think an award, as many folks have already mentioned, provides a powerful incentive for employers, because it is not only in the process, I think, they not only look at what—the policies they have on the books, but they really look at what is happening in the workplace.

A lot of companies may have good policies but it really is how they work on the ground that is going to make the difference for their employees.

And I think, Madam Chair, to your point earlier about looking at a company more globally and looking at their other labor record, I think that is an important part of that equation, because the award is intended to reward companies that are making—providing a good environment for their workers, and if it is a very unsafe environment but it is very flexible, that doesn't meet anyone's goal.

Chairwoman WOOLSEY. Right. We are not looking at having this be a Band-Aid for doing other things but looking good in the area of flexibility, so you are right about that.

Now, we are very fortunate to be joined by the ranking member of the Workforce Protections Subcommittee.

And, Cathy, I told them how important you were in writing this legislation. We are glad you are here. We would love to hear your opening remarks. And then if you would like to start questioning, or we will go—come back to you.

Mrs. MCMORRIS RODGERS. Okay.

Chairwoman WOOLSEY. You decide.

Mrs. MCMORRIS RODGERS. Okay. Thank you, Madam Chairwoman. And I will go ahead and share my opening remarks, and then come back for questions later, if that is fine.

And I apologize for being late. I was having one of those work-family responsibilities, challenges, myself this morning and I couldn't be here at 10 o'clock.

But I want to thank the witnesses for appearing today. I appreciate the time that you have taken out of your busy schedules to share your testimony.

And I would also like to thank the Chairwoman for her work on this bill and for having an open dialogue with the interested parties throughout the process.

As the Chairwoman noted, H.R. 4855, the Work-Life Balance Award Act, would establish an annual award within the Depart-

ment of Labor to recognize employers with exemplary work-life balance policies.

The bill would highlight the best practices by employers and encourage innovation in the adoption of work-life balance policies, which we hope will encourage other companies to adopt similar programs.

While this bill had one stated goal, to recognize employers who are able to creatively meet the needs of their workers in achieving some measure of work-life balance, I hope that we can focus the discussion on ways to encourage employers to accommodate employee results for greater workplace flexibility without the use of government mandates that can raise the cost of employment and stifle creative arrangements.

The issue of work-life balance continues to be of concern to the majority of employees. A growing number of employers are successfully meeting the demands and meeting the needs of their workers through policies designed to give greater flexibility in the workplace. Most employers understand that having programs in place to address work-life balance issues is effective and necessary.

Without a doubt, job security remains the biggest concern for many employees in today's struggling economy. Each day there are stories about employers who have been forced to scale back because of economic conditions, including letting employees go. Given these difficult circumstances, there is no question that mandating new labor costs on employers would only exasperate the situation.

Ultimately, policies that increase labor costs for employers will have the effect of destroying jobs or limiting opportunities for workers.

I know as a new mom myself that one of the biggest struggles working parents face is how to balance work and family responsibilities. Employees are looking for flexibility to get the job done, while also being able to make the school play, stay at home with a sick child, or care for an elderly parent. Employers are looking to stay in business. Consequently, we must carefully balance the costs and benefits for both employers and employees alike.

To that end, I have introduced legislation, the Family-Friendly Workplace Act, H.R. 933, which will remove a barrier in current law that prevents employers from meeting employee demands for increased workplace flexibility.

It would allow private sector employers to give their employees the option to voluntarily choose paid time off, known as comp time, in lieu of overtime pay. This is something that by most accounts has been successful and popular with public sector employees for over 25 years.

So, as we look for ways to help employers provide greater work-life balance and recognize their efforts, we must also do so within the context of today's fragile economy and consider options that won't impede employers' efforts to create lasting jobs and strengthen the economic future of our country.

Again, I thank our witnesses and thank the Chairwoman and look forward to asking some questions.

[The statement of Mrs. McMorris Rodgers follows:]

Prepared Statement of Hon. Cathy McMorris Rodgers, Ranking Minority Member, Subcommittee on Workforce Protections

Thank you, Madame Chairwoman.

I too would like to thank our witnesses for appearing today. We appreciate that you have taken the time out of your busy schedules to testify this morning. I would also like to thank the Chairwoman for working to craft this bill in a bipartisan manner, and for having an open dialogue with interested parties throughout this process.

As the Chairwoman noted, H.R. 4855, the Work-Life Balance Award Act, would establish an annual award within the Department of Labor to recognize employers with exemplary work-life balance policies. The bill would highlight best practices by employers and encourage innovation in the adoption of work-life balance policies, which we hope will encourage other companies to adopt similar programs.

While the bill has but one stated goal—to recognize employers who are able to creatively meet the needs of their workers in achieving some measure of work-life balance—I hope that we can focus the discussion on ways to encourage employers to accommodate employee requests for greater workplace flexibility, without the use of government mandates that can raise the cost of employment and stifle creative arrangements.

The issue of work-life balance continues to be of concern to a majority of workers. Indeed, a growing number of employers are successfully meeting the demands and needs of their workers through policies designed to provide greater flexibility in the workplace. Most employers understand that having programs in place to address work-life balance issues are effective and necessary.

Without a doubt, job security remains the biggest concern for many workers in today's struggling economy. Each day, there are stories about employers who have been forced to scale back because of economic conditions and let employees go as a result. Given these difficult circumstances, there is no question that mandating new labor costs on employers will only exacerbate the situation. Ultimately, policies that increase labor costs for employers will have the effect of destroying jobs or limiting opportunities for workers.

I know, as a new mom myself, that one of the biggest struggles working parents face is how to balance work and family responsibilities. Employees are looking for flexibility to get the job done, while also being able to make the school play, stay at home with a sick child, or care for an elderly parent. Employers are looking to stay in business. Consequently, we must carefully balance the costs and benefits for both employers and employees alike.

To that end, I've introduced a bill, H.R. 933, the "Family-Friendly Workplace Act," which will remove a barrier in current law that prevents employers from meeting employee demands for increased workplace flexibility. The "Family-Friendly Workplace Act" would allow private sector employers to give their employees the option to voluntarily choose paid compensatory time off (known as "comp time") in lieu of overtime pay. This is something that, by most accounts, has been successful and immensely popular with public sector employees for 25 years.

So as we look at ways to help employers provide greater work-life balance and recognize their efforts, we must do so within the context of today's fragile economy, and consider options that won't impede employers' efforts to create lasting jobs and strengthen the economic future of our country.

Again, I welcome our witnesses, and look forward to your testimonies. Thank you Madam Chairwoman.

Chairwoman WOOLSEY. We will be back to you.

Congressman Sablan?

Mr. SABLAN. Thank you. Thank you, Madam Chairman.

I grew up in a family of six sisters and a mother and moved into a family of my own of five daughters and a wife, and I am not surprised that we have asked women to join us this morning to tell us how you do it.

But many of the jobs that have been lost during the—this recession have been held by men, and are you seeing more of men moving into caretaker roles? And are you seeing employers accommodate the—this as they go back to work?

I agree with some of the comments that we need to expand the paid leave and the flex, and—but are you seeing some of these caretaker roles move into the—men taking over this role rather than women? Anyone could answer.

Ms. EVANS. About 8 percent of men are stay-at-home dads, and so at least 8 percent of dads are staying home to take care of their children, and so it is a small group, but it is growing. And as women out-earn their husbands, men have more career options to pull back on their careers to take care of children on a part-time basis, even.

Also, women tend to marry men who are older than them in many cases, and so those men are retiring earlier and helping their families with teenaged children, which becomes a very critical point of caregiving. When your children are big, they create big problems. Little kids, little problems.

So there is a lot of—there is also a lot more co-parenting going on, which is something that we highly commend. But the bigger point, I think, about men is not so much on whether men are caregiving, because it is still falling primarily on women. Caregiving for children and also elder care, which is a big factor in this as well, but one thing that is very important to recognize is that men are beneficiaries of the work-family benefits that companies offer and that this award might celebrate.

We find that there has been a huge increase in paternity leave options that companies are adopting for their employees because fathers are really benefitting and appreciating paternity leave time with their—with their young children.

But also, men and non-mothers, women who are childless—everyone benefits by the flexible work arrangements so that they can do—follow pursuits like running in a marathon, training for a marathon, or going on a trip back to a country where their—where their family is from for an extended time.

Everybody benefits from high-quality childcare that companies provide, men and women. Men and women benefit equally from the type of programs that we encourage through our best companies. And so I think—and if you just look at, for example, flexibility, that is something that is for—utilized so much by everybody. A dad wants to see the school play just as much as the mom.

So it is not just a matter of dads getting more involved in the home. It is a matter that everybody in the companies benefit from these—all of the benefits that are work-life-related.

Mr. SABLAN. Yes. Actually, I come from a district where we are just beginning to catch up, thanks to the good work of your organization, SHRM. And you know, people are—employers are just beginning to catch up. Some of the businesses are family-owned.

Actually, now I am—I am just about convinced that my wife has agreed to let my son go to school in Baltimore when my daughter is moving here, because I think she wants me to know how difficult it is to raise kids, so she is back 8,000 miles away and she is leaving this responsibility to me.

But thank you all for your comments.

And, Madam Chairwoman, thank you for your leadership on this resolution.

Chairwoman WOOLSEY. Thank you, Mr. Sablan.

We are going to come back to the ranking member after Congressman Hare.

Mr. HARE. Thank you, Madam Chair, and thanks for having the hearing, and I apologize for being late. I was at another meeting. But I really am a strong supporter of this bill, and I appreciate you all coming here this morning.

You know, I believe that it is a benefit—this bill will show that the government values, you know, family-friendly responsible employers. But I would like to ask the panel from your perspective, what additional, if anything, could be added to strengthen this bill, from your perspective?

Ms. LIPNIC. Congressman Hare, I had a number of things in my written statement about some drafting issues. I think one thing is to probably lay out a little bit more in the bill exactly what the criteria would be for, you know, achieving the satisfactory work-life balance and how the—and at least, if there are some findings or something along those lines—and as I mentioned, there is a—there is a very well developed body of research in this area.

A number of awards—Ms. Evans' magazine—the Sloan Awards have years' worth of research in benchmarking how companies have achieved flexibility. And I think there is a lot to draw upon that, if added at least to findings in the bill, would probably give better direction, I think, and more specific criteria to the Department of Labor as it would go forward and administer it.

Mr. HARE. Ms. Gorman?

Ms. GORMAN. We would encourage you to look at the success of existing programs already, as Carol talked about, the Working Mother award—and there are a number of them. The Malcolm Baldrige award is an—is an extraordinary example of the government setting benchmarks that, as Ms. Wu said, actually impel organizations to move forward.

And it becomes really a competitive issue as it looks to building—to retaining the workforce it has and building the workforce of the future by creating an environment that is innovative, that is flexible, that allows an organization to keep their employees motivated, engaged, and bringing their best to work every day.

These kinds of awards, as we said, shine a spotlight on exemplary practices. And by keeping the criteria broad enough to allow for that local innovation, that local experimentation that is really working in one—in one arena that might not work in another—we want to make sure that we are not, you know, also mandating innovation and defining innovation in a way that actually shuts it down and doesn't let that sort of on-the-ground—what works for us, within—as Ms. Lipnic said, within the confines of existing legislation, regulations and laws.

Let people experiment and then be rewarded for those kinds of experimentation. So from our perspective, it is about shining a spotlight on these kinds of practices that allow businesses to really be more and more successful both in their business and grow their business, grow job creation, but also in the retention and the development of their existing employee population.

Mr. HARE. Ms. Wu?

Ms. WU. I agree with what the others have said in terms of laying out criteria. I think that is helpful, and we have enumerated a few. I wanted to focus on a few things.

While I understand the need to acknowledge the different kinds of innovation that businesses have pursued, I think we also have to have some minimum baseline benchmarks that people should have to meet.

I mean, people shouldn't be fired for needing to go take care of their own medical needs or a family member's medical needs.

And I think one thing—I mentioned the importance of fairness. I do think a focus on low-wage workers is really important. I mean, looking at the data and what companies are doing already, a lot of higher skilled and higher wage workers already have these policies available to them.

But the person who works on the shop floor has a family and has health care needs just as—the same as the person in the executive office suite, and there are a lot of companies who are doing wonderful things to try to reach those populations and be sure they have access to the same kinds of policies that really benefit them. And I think that needs to be recognized and focused on.

Mr. HARE. Thank you. Thank you.

Oh, I am sorry. Ms. Evans?

Ms. EVANS. Yes, Congressman Hare, I would like to mention that I suggested in my written testimony that I think a very important vital tweak to this bill would be to create a public-private partnership on managing and creating this award.

There are several organizations like Working Mother magazine and the Families and Work Institute that have especially, you know, put in an enormous amount of work and financially supported these awards programs. It is very important that the Congress consider not to impede or hurt or compete with those awards so that we are all doing double work.

And also, it is a lot of the foundation of the work that Families and Work Institute and Working Mother gets our work accomplished through these award programs. So, I am asking to make sure that we look at the impact on private business for that, as well as the opportunity to take—not to learn from our awards but to actually take the work that we have done and utilize it as part of the award process.

I also want to mention that there is a huge difference in this country between companies that are doing something for the—for working mothers and fathers and companies who aren't. You know, for example, one fact, so vital—100 percent of our 100 best companies offer flexible work arrangements, but only 57 percent of all companies in this country offer that.

People assume that all companies offer this, and that is just not true. So there—so the work to be done to tease out those who deserve and don't deserve this award is extremely important.

Mr. HARE. Thank you all.

Chairwoman WOOLSEY. Ms. McMorris Rodgers?

Mrs. MCMORRIS RODGERS. Thank you, Madam Chairwoman.

I wanted to ask Ms. Lipnic about the EVE Award currently awarded—given by the Department of Labor and just wanted to ask you to talk about if there was a good participation rate by the

organizations and if you believe that the prestige associated with the awards really motivates organizations to undertake the time and effort required by the application process.

Ms. LIPNIC. Sure. And as I mentioned earlier, the EVE Awards, which are given by the Office of Federal Contract Compliance Programs at the Department of Labor, which administers the affirmative action and equal employment opportunity for federal contractors—so if you are a federal contractor, you have to meet those requirements, have an affirmative action plan.

And the Secretary's Exemplary Voluntary Efforts Award was established at the Department of Labor back in the 1980s. It has been very successful in the affirmative action, equal employment opportunity world. And my experience at the Labor Department—if you are a federal contractor and you are subject to jurisdiction of OFCCP, the district offices of OFCCP will often seek out companies to apply for the award.

It is a very extensive application. You have essentially got to go through an OFCCP audit and, you know, most companies don't want to have the federal government auditing them. But these are companies who will voluntarily do it in trying to get the award. And it goes to both companies—also, nonprofit organizations.

And there is tremendous prestige associated with it. Before I left private practice 2 days ago, my law firm would encourage employers and clients to, as part of our affirmative action practice, apply for the award, one, because of the prestige associated with it; two, because it actually helps the companies meet their compliance requirements but also go beyond that, and—which is really what you have to do to get the award.

I think there is tremendous prestige associated with getting an award from a cabinet secretary. I saw it. I presided over the ceremony every year. And I, in private practice, had many clients come to me and say, "Oh, by the way, you know, we won the EVE Award 15 years ago," and they are still proud of it, so——

Mrs. MCMORRIS RODGERS. Right.

Ms. LIPNIC [continuing]. I think it has a—it has a great impact on organizations.

Mrs. MCMORRIS RODGERS. Thanks. And you mentioned that you thought the—that the award should be housed with a specific agency at the Department of Labor but not in the Office of the Secretary. And I understand the importance of placing the award in an area that would have the institutional experience and expertise.

I do wonder about it being housed at the Women's Bureau, if it somehow gives the impression that the award is more relevant to women when I think it is broader——

Ms. LIPNIC. Right, and I would agree with that, and I suggest that only as sort of knowing the structure of the Department of Labor and sort of wondering, "Well, where would the best place for it be?"

The Secretary's staff at the Labor Department, regardless of administration, is largely political appointees, and so, you know, you want a place that will develop the institutional knowledge and criteria.

You know, everywhere else at the Department of Labor, unless you are in the Employment and Training Administration—and I

suppose that could be somewhere for it—is an enforcement agency. And so, you know, I think you have to sort of balance is the Women's Bureau the right place versus the—well, do you want the enforcement agencies to be doing this.

And this is a voluntary award, and you are not—you know, there is not a policy that you are trying to enforce, and actually, in contract to even the OFCCP EVE Awards, which does have an enforcement arm. So you know, there may be a better place. I am not sure where it would be. But I certainly understand that concern.

And that is probably, you know, something that—the Women's Bureau does a lot of research, and that is—the concern about would it just give that impression, I think, is maybe something that could be overcome in findings in the bill or direction that Congress would give to the agency.

Mrs. MCMORRIS RODGERS. Okay.

Ms. Gorman, the Chairwoman has asked that I would ask you where you would put it.

I also wanted to ask you, because I understand you mentioned comp time as one of the options that should be a federal policy, and I assume that the Society for Human Resource Management has both public and private sector members, and I just waned to ask you to comment if you see any reason why this should be treated differently.

Ms. GORMAN. We do have both public and private members, and we wouldn't—we have been public in our support for evening the playing—evening the playing field, and I think we have a lot of experience behind us in the public sector that shows what works and doesn't work in this regard, and it would seem a matter of fairness to enable employers in the private sector to be able to offer this benefit to their workers as well.

And again, it has to be the conversation between the employees and the employers. Some employers may choose to offer the comp time opportunity and others may not. They may have other kinds of benefits that address that need. But again, employees don't—even if offered, employees may not choose to take the comp time.

It becomes still the—what works in this organization, what is going to make us successful, what is going to make our employees' flexibility needs handled in a more—in a more appropriate way.

Mrs. MCMORRIS RODGERS. And do you have—do you have a recommendation on where this award should be housed?

Ms. GORMAN. Oh, yes. Thank you. I think we would support Ms. Lipnic's suggestion to her—her knowledge of the inner workings of the Labor Department are quite extensive, and so we would—we would support her recommendation as well.

And while I am here, I just would like to thank you for the wonderful work that you have done, Congresswoman, on this—on this issue and many others. We are very appreciative of the bipartisan nature of the work that has been done, particularly on this act and our—as I said, our total support, so thank you.

Mrs. MCMORRIS RODGERS. Thank you.

Chairwoman WOOLSEY. So we are so lucky. We were supposed to have votes at 10:30. We have escaped that pressure. So I think it would be better if we just get on with closing our—the hearing.

And so without objection, I would like to place the following letters into the record: a letter from Families and Work Institute, a letter from the Alfred P. Sloan Foundation, a statement from World at Work.

[The information follows:]

Prepared Statement of Ellen Galinsky, President, Families and Work Institute

Chairwoman Woolsey, Ranking Member Rodgers and members of the Workforce Protections Subcommittee, thank you for this opportunity to provide written testimony with regards to The Work-Life Balance Award Act.

As president and co-founder of Families and Work Institute (FWI), a nonprofit, nonpartisan research center on the changing workplace, changing family and changing community, I am pleased by your focus on work-life and by your determination to elevate these issues—which are so important to millions of America's working families—from private, personal struggles into the national dialogue and to foster positive change in our nation's workplaces.

While I fully support the intention behind creating an annual Work-Life Balance Award, we have learned a great deal about what makes awards work and it is complex, time consuming, and labor-intensive. We ask that you consider these issues. Ultimately, we urge that Congress enact an initiative that supports what those in the private and nonprofit sector have been doing for years, rather than competes with or dilutes these efforts.

1. There are a number of other well-established and highly regarded employer awards that have been created by the private and the nonprofit sectors.

These include Working Mothers Best 100 Companies for Working Mothers and the Families and Work Institute's Alfred P. Sloan Awards for Business Excellence in Workplace Flexibility.

Since my organization, the Families and Work Institute—in conjunction with the Institute for a Competitive Workplace, an affiliate of the U.S. Chamber of Commerce, and the Twiga Foundation—have been responsible for the creation and implementation of the Sloan Awards with the essential support of the Alfred P. Sloan Foundation, I will speak from this vantage point.

The Sloan Awards are now in their sixth year. Over this time, we have developed a rigorous and systematic process by which employers of all sizes and kinds from around the country are recognized for their practices for creating effective and flexible workplaces that mutually benefit both employers and employees. FWI has significant insights into small and medium size employers, including their resources and commitment to apply for recognition.

With the greatest respect, we ask that you please consider the tremendous financial and intellectual investment that have gone into the development and expansion of the Sloan Awards, and how our efforts might complement and support each other in order to reach our common goal: increasing exemplary workplace practices across the nation that are designed to help employees achieve a satisfactory work-life fit.

2. For the employer community to respect awards, they must provide quality assurance, based on a rigorous process.

The Sloan Awards were developed with input from leading scholars, business consortiums and employers. Because it was our intent to reach small and mid-sized as well as large employers from all sectors—public, private sectors, for-profit and not-for-profit—we decided to make these awards worksite based. Worksite based awards allow organizations to be evaluated on their programs and policies as well as their organizational culture—on what really happens "on the ground" and not just "on paper."

Any employer is eligible to apply for the Sloan Awards provided they have been in operation for at least one year and have at least 10 employees who work from or report to the applying worksite. The employers can reapply every year, whether or not they win.

The application process takes place in two rounds. In Round I, employers self-nominate by completing a questionnaire that asks about their worksite's flexibility practices and policies and the supportiveness of its work culture. Responses to the employer questionnaire are then measured against national norms that have been derived from the Families and Work Institute's ongoing nationally representative study, the National Study of Employers. To qualify for Round II, employers must rank in the top 20% of employers nationally.

Round II of the application process involves surveying employees about their access to and use of flexibility; the aspects of the workplace culture that support their

ability to work flexibly; and whether or not they experience "jeopardy" when working flexibly. These items are also normed against the Families and Work Institute's ongoing nationally representative study of employees the National Study of the Changing Workforce.

In organizations with fewer than 250 employees, all employees are surveyed. In larger organizations, a sample of 250 employees is selected and surveyed. Of those surveyed, a minimum of a 40% response rate is required (though the response rate exceeds this, with an average 52% response rate).

On the basis of the employer and employee questionnaires, an overall score is computed, with two-thirds based on employees' responses. There is no minimum or maximum number of award recipients.

Thus, these awards are very respected because they are based on national norms of employees and employers and because two-thirds of the winning scores come from employees. This provides quality assurance, which is absolutely necessary when dealing with small and mid-sized employers.

3. Work life assistance is not sufficient in and of itself to assure that employees have a good work life fit.

Data from FWI's nationally representative study of the U.S. workforce reveals that flexibility is a major aspect of a larger construct of work life fit (which also includes whether the supervisor cares about the effect of work on the employees' personal/family life, whether the supervisor is responsive when the employees have personal/family business, and whether one's coworkers are supportive to the employees' efforts to successfully manage their work and family life).

In addition, our data reveal that work life fit includes but goes beyond programs and policies. And that makes sense—if an employees has access to flexibility or child care support but works in a place where he or she is given little respect, has few if any learning opportunities, or has a difficult supervisor, the work life assistance will not yield its intended goal.

Over the past six years, Families and Work Institute has engaged in a research journey to define the specific elements that make up effective workplaces. Based on our 2008 National Study of the Changing Workforce data, we have identified six criteria of effective workplaces that benefit both the employee and the organization. These are:

1. Job Challenge and Learning
2. Climate of Respect
3. Autonomy
4. Work-Life Fit
5. Economic Security
6. Supervisor Task Support

We have examined the empirical relationships among these six workplace effectiveness factors, an index of overall effectiveness based on a combination of all six criteria, and work and health and well-being outcomes.

We found that greater overall workplace effectiveness is strongly related to greater engagement, higher job satisfaction and a desire to stay with the organization, higher employee health and well-being and less spillover from work to home.

Thus, the Sloan Awards measure these factors in the employee survey. These assure that the award is being given to employers that provide both an effective and flexible workplace.

In addition, the Sloan Awards add critical topical issues every year. Last year, during the height of the recession, we added questions about how employers were handling the recession. This assured us that we were not giving the award to any employer that was using flexibility in a way of cost cutting that had negative repercussions on employees. This year, as the economy is rebounding, we have added questions on how employers are helping employees improve their own effectiveness by participating in skills-based or degree-or certificate-granting educational programs.

4. Providing awards does not guarantee an increase in applicants without an infrastructure to promote applications.

Over the five years we have given out the Sloan Awards, there has been a tremendous increase in the number of applicants and winners:

- In 2005, there were 103 applicants and 33 winners.
- In 2006, there were 247 applicants and 89 winners.
- In 2007, there were 321 applicants and 129 winners.
- In 2008, there were 517 applicants and 259 winners.
- In 2009, there were 909 applicants and 449 winners.

The Sloan Awards truly reach small and mid-sized employers, as the following table reveals. (Percentages are read left to right. Percentages may not total 100 due to rounding errors.)

The Sloan Awards were designed to create a grassroots movement to create workplaces that work for employers and employees (thus our name: When Work Works). We have done a great deal of outreach and partnership development in order to educate businesses and communities about flexible and effective workplaces. The increase in the number of applications takes a great deal of effort.

When Work Works and the Sloan Awards began in eight communities in 2005. Today, we are embedded in 27 communities around the country, including five states:

Arizona (statewide); Aurora, CO; Bay Area, CA; Boise, ID; Charleston, SC; Chicago, IL; Dallas, TX; Dayton, OH; Durham, NC; Georgia (statewide); Houston, TX; Kentucky (statewide); Long Beach, CA; Long Island, NY; Louisville, KY; Michigan (statewide); Milwaukee, WI; Morris County, NJ; New Hampshire (statewide); Providence, RI; Richmond, VA; Rochester, MN; Salt Lake City, UT; Seattle, WA; Spokane, WA; Twin Cities + St. Cloud, MN; and Winona, MN.

In addition, we have an at-large award.

With each of our community partners, we require that they bring together a leadership group that includes the "movers and shakers" (from the public and private sectors as well as the media) to oversee the project and ensure that it truly meets local needs. They are responsible for providing education, doing extensive media outreach, and promoting the awards. Thus, the increase in awards has been a function of this grassroots movement we have created all over the country, now representing 30% of the population.

It is our strong experience that simply having an award—even an award as prestigious as one that has the Sloan Foundation, the Chamber of Commerce, the Twiga Foundation, and the Families and Work Institute's imprimatur on them—takes local support and media coverage to generate applicants from small and mid-sized employers.

5. Providing awards only leads to improved workplaces with technical assistance and support.

We have carefully monitored the impact of providing an award over our six years and have found that increase in work life assistance comes only from repeat applicants. For example, we have found the following improvements:

Among repeat applicants:

- Periodic flex time
- Daily flex time
- Moving between full and part-time positions
- Compressed workweeks
- Work from home occasionally
- Control over shifts Among repeat winners:
- Periodic flex time
- Compressed workweeks
- Work from home occasionally
- Control over shifts

The applicants and winners attribute these changes to the technical assistance they receive from their local community and from the national partners, to the Guide to Bold New Ideas for Making Work Work (the guide book that contains write ups of all of the winners), and the customized benchmarking report that each applicant and winner receives. These resources provide information and education that allow employers to strategically make changes that result in better outcomes for employees and the organization. And they do use our materials this way. The following CEO statement is typical of what we hear again and again:

> We offered a pretty flexible work environment when we initially applied for the award. And we were very happy to win, but the Customized Benchmarking Report was terrific because we found out that there were a number of areas that we hadn't even thought about. Then we got the Guide to Bold New Ideas, and that was even better, because it highlighted specific initiatives by different companies, some of which are our sized companies, and some of which are very creative. So I personally looked through all of that book and [established] a Policy Review Committee. Last year, we initiated or improved a number of policies—sabbaticals, leaves of absence, compressed workweek, earlier start times, adoption assistance, volunteerism—a whole range of things that make sense that we hadn't ever really thought of before.
>
> JOHN C. PARRY JR., *President & CEO, Solix Inc.—Three-time Sloan Award Winner.*

In conclusion

The Sloan Awards are one of the few awards programs that: is evidence-based, drawing on information about effective and flexible workplaces from FWI's National Study of the Changing Workforce (NSCW); uses national benchmarks for measuring and evaluating employer practices from FWI's National Study of Employers (NSE); has a rigorous scoring process that emphasizes employee experiences; and provides a model of continuous improvement through its comprehensive Benchmarking Reports and annual Guide to Bold New Ideas culled from winners' practices.

We urge Congress to consider the tremendous financial and intellectual investment that have gone into the development and expansion of the Sloan Awards and other awards. If you do move forward, we urge you to consider the lessons we have learned and to create an initiative that complements rather than competes with and dilutes what we have accomplished.

Thank you for your attention to this important issue and for your commitment to work life issues for all Americans.

Prepared Statement of Kathleen E. Christensen, Alfred P. Sloan Foundation

DEAR CHAIRMAN MILLER AND WOOLSEY: The Alfred P. Sloan Foundation is very proud to have invested millions of dollars in the establishment and support of the Alfred P. Sloan Awards for Business Excellence in Workplace Flexibility. We want the Committee to be aware of this highly successful and effective awards program.

The Sloan Awards program was established and is administered by the Families and Work Institute of New York City, under the leadership of Ellen Galinsky. This awards program has been in existence for five years, is now in 27 communities, including 5 states, around the U.S.A. and has recognized 1000 companies with these awards. It is a highly successful awards program.

Through the standards set by the Families and Work Institute, this Sloan Awards program is a great model. It successfully builds awareness within the business and larger community of the kinds of workplaces needed by today's employees who are balancing work and family responsibilities and by employers looking for the strategic advantage in attracting and retaining the strongest workforces. Its emphasis on best practices further advances the voluntary adoption of workplace flexibility by businesses. And it is a model for how an awards program can successfully be used for data collection purposes in order to benchmark all applying companies and to track changes within business practices over time.

It would be unfortunate for a new awards program to proceed without first carefully examining what has made Families and Work Institute's awards program so successful. Please contact me with any questions.

Selected Bibliography of WorldatWork Resources

WorldatWork is dedicated to providing education and information to help HR, Compensation, Benefits and Work-life practitioners successfully design reward programs to attract, motivate and retain the workforce. As such, this is not a comprehensive list of the resources WorldatWork has to offer. Please contact us for any other information you may need.

Education and lifelong training opportunities

Articles

- Refocusing Total Rewards when the Economy is a Blur (workspan, Jan 2009)

Miscellaneous

- Total Rewards Model/Checklist

Improving work and family balance

Books

- Workplace Flexibility: Innovation in Action (book, 2008)
- Telework: A Critical Component of Your Total Rewards Strategy (book, 2007)
- Paid Time Off Banks: Program Design and Implementation (book, 2007)
- Paying & Managing Absences: How-to Series for the HR Professional (book, 2006)

Surveys

- Telework Trendlines 2009 (survey, 2009)

- Employer Provided Connectivity Devices Survey (survey, 2009)
- Paid Time Off and PTO Banks (survey, 2006)
- Flexible Work Schedules 2005 (survey, 2005)

Articles

- Unveiling Gendered Assumptions in the Organizational Implementation of Work-Life Policies (journal, Q1 2009)
- Total Flex: At the Center of Total Rewards (workspan, Oct. 2008)

Courses and Online Learning

- Flexible Work Arrangements: Helping Managers Achieve Results (course)
- Shifting Attitudes and Changing Roles in Today's Employees—Understanding Its Impact on Total Rewards (webinar, available after April 29, 2009)
- Flexible Workers—Five Tips to Manage What You Can't See (webinar)
- Are Paid Time Off Banks Right for Your Organization? (webinar)

Miscellaneous

- AWLP Seven Categories of Work-Life Effectiveness Brochure
- Total Rewards Model/Checklist
- AWLP Work-Life Self Audit
- National Work and Family Month Resolution (2008)

Compensation

Articles

- Money Talks: Identifying, Preventing and Alleviating Systemic Salary Compression Issues (workspan, Nov 2008)
- The Living-Wage Ordinance Controversy (journal, Q1 2009)
- Factors Affecting the Long-Term Success of Skill-Based Pay (journal, Q1 2008)

Surveys

- Reward Programs: What Works and What Needs to be Improved (survey, 2007)

Benefits

Books

- Providing Financial Education & Advice: A How-to Guide for the HR Professional (book, 2008)

Articles

- Refocusing Total Rewards when the Economy is a Blur (workspan, Jan 2009)
- Issues and Strategies to Employ and Retain Senior Workers in the United States (journal, Q3 2008)
- Why Your Company Should Consider a Phased Retirement Program? (workspan, Dec 2008)
- Understanding and Designing Health-Care Incentive Programs (workspan, Dec 2008)
- The University of Miami takes Retirement Advice Beyond the Traditional (workspan, Oct 2008)
- A Legacy of Savings: Increasing Participation in Retirement Planning (workspan, June 2008)
- Forget Cost-Shifting, Try Giving Back to Decrease Health-Care Costs (workspan, June 2008)
- Collaborating' on an Approach to Reduce Health-Care Costs (workspan, May 2008)

Surveys

- Trends in 401(k) Plans (survey, 2009)

Courses and Online Learning

- Financial Education & Advice—A Must-Have in the Workplace (webinar, 2009)

Chairwoman WOOLSEY. So would you like to do your closing remarks, or do you want me to go and then you go?

Mrs. MCMORRIS RODGERS. I would just thank the witnesses once again for coming and appreciate your leadership on this issue, both this bill and look forward to working with you on other issues related to promoting flexibility and a better relationship between em-

ployers and employees when it comes to that, finding the balance between work and family issues.

Chairwoman WOOLSEY. Which you just lived through, my friend.

Thank you all for attending this legislative hearing on H.R. 4855, the work-Life Balance Award Act. As you have testified, you have been wonderful. It is important to establish an award at the Department of Labor to recognize employers with exemplary work-life practices.

Workers, we know, desperately need work-life balance, and this is one way to encourage employers to do what they can and to focus a light on the issue, so that more employers will work to help their workers bridge the demands of work and family.

I appreciate all of the suggestions that have been made, and you have made good ones. You know you have made good ones. But we have heard them. Let's put it that way.

And I am looking forward through your suggestions to strengthening this bill as we proceed through the committee and on the floor for a vote, because we don't want a bill in name only that says something that is not going to be useful. I mean, I have a feeling we can get this through.

So therefore, we want it to mean something and be something, so—not that we do things that aren't meaningful, but you know what I am saying. This is not grandstanding. So thank you all for coming.

And thank you, Congresswoman McMorris Rodgers, for being a partner in this. Thank you very much.

As previously ordered, members will have 14 days to submit additional materials for the hearing record. Any member who wishes to submit follow-up questions in writing to the witnesses should coordinate with majority staff within 14 days.

Without objection, this hearing is adjourned.

[Whereupon, at 11:07 a.m., the subcommittee was adjourned.]

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