



College and University Professional
Association for Human Resources

June 30, 2009

The Honorable Senator Blanche L. Lincoln
The Honorable Senator Mike Crapo
The Honorable Senator Christopher J. Dodd
The Honorable Senator Susan M. Collins
The Honorable Senator Herb Kohl
The Honorable Senator George Voinovich
Members of the Senate Staff Work Group on Workplace Flexibility

U.S. Senate
Washington, DC 20510

Dear Senators and Members of the Senate Staff Work Group on Workplace Flexibility:

On behalf of the College and University Professional Association for Human Resources (CUPA-HR), thank you for the opportunity to submit this statement outlining our perspective on workplace flexibility. CUPA-HR serves as the voice of human resources in higher education, representing more than 11,000 HR professionals at over 1,700 colleges and universities across the country, including close to 90 percent of all U.S. doctoral institutions, 70 percent of all master's institutions, more than half of all bachelor's institutions and almost 500 community colleges. Higher education employs 3.3 million workers nationwide, with colleges and universities in all 50 states.

As HR professionals, our members are responsible for designing total compensation packages that attract and retain top talent and for helping to maintain a healthy and productive workforce. Our members have long recognized the importance of workplace flexibility in achieving these goals. In a recent CUPA-HR survey, 93% of responding higher education institutions said they offer employees paid time off, with an average of 15 paid vacation days, 16 paid sick days and 12 paid holidays all in the first year of employment. Moreover, 90% of survey respondents offer an average of 219 days of unpaid leave. Through the survey and anecdotally, we also know a significant number of our members offer many other family-friendly benefits, such as onsite daycare, schedule accommodations, reduced hours or part-time work, job-share arrangements, sabbaticals and telecommuting.¹

While CUPA-HR members already offer these benefits voluntarily, many nonetheless are apprehensive about one option some policy makers are discussing – a one-size-fits-all paid leave or other mandate imposed by government. Our members value greatly the ability to design benefits packages tailored to the unique needs and desires of their employees. The

¹ The survey also shows our members offer a host of benefits in addition to those associated with a flexible workforce. For example, ninety-eight percent of survey respondents provide retirement and life insurance benefits, nearly all provide health coverage to full-time employees, close to half offer health care coverage to part-time employees, and 78% provide health coverage to employees within the first month of employment.



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flexibility to address changing needs and circumstances of both parties increases the chance of long-term positive outcomes for employees and employer alike.

A common concern voiced by many members is that the cost of a mandate would force a corresponding reduction in, or cessation of, other highly valued benefits and/or reduction in salaries or jobs. For example, many part-time employees, whose schedules are by nature somewhat flexible, may value health coverage or other benefits over government-mandated paid time off. Likewise, student employees, particularly those on work-study programs, may value wages over paid leave. In addition, providing work-study students and other student temporary employees with leave benefits could result in the college or university offering few jobs to students.²

Our members also are concerned that the rigid requirements of a mandate set by Congress and/or the Department of Labor would pose significant compliance challenges and possibly lead to an increase in unscheduled absences; both problems they experienced with the regulations implementing the Family and Medical Leave Act (FMLA). In fact, 85.8% of CUPA-HR members that responded to a recent survey reported experiencing challenges administering FMLA leave for an employee's own serious health condition and close to 65% reported problems with notice for leave and unscheduled absences. Moreover, close to half reported they had uncertainty about the legitimacy of FMLA leave requests.

We do, however, support Congress' efforts to use research, education and outreach to encourage employers to explore workplace flexibility options. We welcome the opportunity to work with you and offer our assistance in providing information about our member's experiences as you "study the relevant data, policy models and case studies in the public and private sector on this multi-faceted issue."

We look forward to participating in an ongoing dialog with you on these important issues. Please do not hesitate to contact me with any questions. I hope to hear from you again soon.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Joshua Adams Ulman", written over a horizontal line.

Joshua Adams Ulman
Chief Government Relations Officer
College and University Professional Association for Human Resources
julman@cupahr.org 703.435.7119

² The demand for employment by students is significant and important. Sixty-eight percent of students perform some work while at school and studies by Pascarella and Terenzini (1991, 2005) note that part-time, on-campus employment is associated with the highest levels of academic achievement and degree attainment. The D.C. Council recognized the negative impact leave mandates would have on student workers and exempted from its paid leave requirement students that work for the same institution at which they are enrolled.