



EMPLOYERS FOR **FLEXIBILITY**

TALKING POINTS

The Workflex in the 21st Century Act

- Workplace flexibility—or Workflex—is a hallmark of the 21st Century Workplace. It is about rethinking how, when and where people do their best work. It reflects a workplace shaped by shifting demographics, emerging technologies and other societal trends. This new workplace can't thrive with the same old, one-size-fits-all approach.
- At its core, a 21st Century Workflex policy must facilitate the expansion of paid leave and Workflex options regarding when, where and how work is done. And it must account for different work environments and be accessible by employers of all sizes and in all industries. It must avoid old ways of thinking that hold the workplace back. That's just what the *Workflex in the 21st Century Act* does.
- **The *Workflex in the 21st Century Act* provides more time off for employees, more predictability for employers and more options for everyone.**

The Benefits:

- **New Approach:** The proposal is a new approach to expanding paid leave and workplace flexibility options for employees, reflecting today's most innovative workplace strategies
- **Voluntary, Opt-in System:** The proposal would allow employers to voluntarily offer employees a qualified flexible work arrangement plan under the Employee Retirement Income Security Act (ERISA) that includes a federal standard of paid time off and options for flexible work arrangements, such as telecommuting or compressed work schedules. This ERISA-covered plan would preempt state and local paid leave and Workflex laws.
- **Fiscally Responsible:** This voluntary approach would counter expensive, one-size-fits-all mandates and expand coverage—without passing costs on to taxpayers or employees.

Employers Win:

- **Employers Gain Predictability:** Employers who opt in would enjoy improved predictability by being able to follow a federal framework for paid leave and Workflex, as opposed to the complex, conflicting patchwork of state and local laws. At the same time, employers would have the flexibility to offer more paid leave to meet the needs of their employees and the organization.

Employees Win:

- **Paid Leave Guaranteed to All Employees:** Employees of employers who opt in would receive guaranteed paid leave that exceeds all current state mandates, while employees of employers who do not opt in would continue to be covered by state and local paid leave provisions.
- **Workflex Guaranteed to All Employees:** Employees of employers who opt in would receive guaranteed access to flexible workplace options. Millions of employees will gain access to workplace flexibility for the *first time*.