Inclusive Paid Leave: Chosen Family

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What is chosen family?

- Americans have diverse family and caregiving structures that often fail to fit the “nuclear family” image.
- Many people’s families include “chosen family” members—individuals who form close bonds akin to those traditionally thought of as occurring in relationships with blood or legal ties. Such relationships might include:
  - Members of the same military unit.
  - An older neighbor who becomes like an aunt or uncle.
  - A best friend who is essentially a sister.
Yee Won’s story

“I was born and raised in Malaysia, but came to the U.S. so that I could safely express my sexual orientation, gender identity, and political beliefs. Separated from my ‘blood family’ by 8,000 miles, I have created a strong chosen family. My chosen family celebrated with me when I became a U.S. citizen three years ago, took care of me when I was recovering from my gender transition surgery, and are named in my living will and my health care directives. In creating my home in the U.S. I left behind Malaysia’s guaranteed paid sick days for all wage earners. As I am currently in the process of surviving and healing from cancer, the need for me and my chosen family to have access to paid work leave is a stark reality.”

Who relies on chosen family?

- CAP has conducted the first nationally representative survey regarding chosen family.
- The need for inclusive paid leave that acknowledges these relationships is widely shared across many groups including:
  - Active military or veterans, people at a range of income levels, people across many age groups, people of many education levels, and people of many different racial and ethnic groups.
- People with disabilities and LGBTQ people are especially likely to have taken time off from work to support the health-related needs of a chosen family member.
Why is recognizing chosen family important?

- How we define family matters in public policy shapes who can use programs or receive benefits.
- Welfare programs aimed at supporting mothers and children have often excluded unmarried mothers.
- DOMA kept same-sex couples from having the same rights and benefits of opposite-sex couples.
- Paid leave is no different. Restrictive family definitions might exclude domestic partners, for example.

Chosen family in legislation

There are many examples of ways in which policies already define chosen family:

- Federal regulations re: funeral leave during Vietnam: “immediate relative” includes “any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.”
- NY’s paid family leave law: “domestic partner” relationships can be established by owning property or living together, having children in common, intending to marry or sharing budgets, length of relationship, or other factors.
- Chicago & Cook County: Family includes “any other individual related by blood or whose close association with the employee is the equivalent of a family relationship.”

- States and cities have had success recently in enacting paid leave policies using a variety of chosen family definitions.

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