

The Build Back Better Plan's Paid Leave Proposal Would Help Sen. Manchin's Constituents, Who Are Already Struggling Against Economic Inequalities And The Pandemic

SUMMARY: On November 3, 2021, Sen. Joe Manchin (D-WV) [restated his opposition](#) to including paid family leave in the Build Back Better reconciliation bill.

However, Sen. Manchin's constituents—especially women, low-income workers, minorities, and seniors—would greatly benefit from paid family leave. On many fronts, West Virginians' lack of access to paid leave exacerbates already stark inequalities that have only worsened during the pandemic:

- [61% Of West Virginian Workers Couldn't Access Even Unpaid Leave](#) Under The Family And Medical Leave Act (FMLA) And Many Eligible Workers Can't Afford To Miss Paychecks.
- West Virginia Had A [Nine-Percentage Point Gender Gap In Labor Force Participation](#) In 2020, Due Partly To Lack Of Family-Friendly Policies—And [Nearly Three Times As Many Women In The State Were Unemployed](#) At The End Of 2020, Due To The Pandemic, Than A Year Prior.
- [Nearly 186,000 West Virginians Work In Frontline Industries](#), Facing Higher Risk Of COVID-19 Exposure And More Challenges In Family Caregiving.
- West Virginia Has "[One Of The Nation's Oldest Populations](#)," And [Nearly A Quarter Of Its Workers Are 55 Or Older](#) And At Higher Risk Of Serious Medical Conditions That May Require Care Or Time Off Work.
- Low-Income And Minority West Virginians Were [Less Likely To Have Paid Time Off](#)—Meanwhile, The State Had The [6th Highest Poverty Rate In The Country](#), With 16% Living In Poverty, And Low-Income And Minority Citizens Feeling Hardship Of COVID-19 "More Acutely."
- [Over 106,000 West Virginians Contracted COVID-19 In The Pandemic's First Year](#), With As Many As 15,800 Expected To Have Long-Term Symptoms That Require Caregiving Or May Interfere With Their Jobs.

Many of Sen. Manchin's constituents have made the demand for paid leave clear. One paid leave advocate said it "[helped save my life](#)" when she could keep her job after entering a rehabilitation program. And others noted how the lack of paid leave had made their lives difficult: "[there was a lot of suffering and heartbreak](#)"; "[it was very worrisome being with no income](#)"; "[I can't go back to work until \[my children are\] clear](#)." And at least one business owner has said that the Build Back Better's paid leave proposal "[would have helped us retain employees](#)."

On November 3, 2021, Upon House Democrats' Decision To Put Paid Family And Sick Leave Back Into Build Back Better, Sen. Joe Manchin (D-WV) Restated His Opposition To Passing Paid Family Leave Through Reconciliation.

On November 3, 2021, After House Democrats Put Paid Leave Back Into Build Back Better, Sen. Manchin Said He "Want[ed] To Support Paid Leave" But Reconciliation Was Not The "Proper" Way To Enact Paid Leave.

November 3, 2021: Senator Manchin Criticized Speaker Pelosi's Decision To Put Democrats' Paid Leave Proposal Back Into The Build Back Better Act. "Sen. Joe Manchin (D-W.Va.) doubled down Wednesday on his opposition to including paid leave in the spending bill even as House Democrats prepare to stick it into their legislation and send it to the Senate. Manchin told reporters that their questions about the decision — announced by House Speaker Nancy Pelosi (D-Calif.) earlier Wednesday — was the first he was hearing of the decision. An aide confirmed that he hadn't seen the House plan. 'That's a challenge, very much a challenge,' Manchin said, adding that the spending bill is the 'wrong place' for a paid leave proposal." [The Hill, [11/03/21](#)]

November 3, 2021: Sen. Manchin Said "I Want To Support Leave" But "In A Bipartisan Way." "I want to support paid leave. I want to do it in a bipartisan way. I've talked to [GOP Sen.] Susan Collins. I've talked to colleagues on both sides. We both agree something can be done,' Manchin said." [The Hill, [11/03/21](#)]

November 3, 2021: Sen. Manchin Said That Colleagues "On Both Sides [...] Agree Something Can Be Done" To Pass Paid Leave. "I want to support paid leave. I want to do it in a bipartisan way. I've talked to [GOP Sen.] Susan Collins. I've talked to colleagues on both sides. We both agree something can be done,' Manchin said." [The Hill, [11/03/21](#)]

November 3, 2021: Senator Manchin Said Of Paid Leave "Let's Do That In A Proper [Way]. We're Trying To Force It Through Reconciliation, Which Has Guardrails And Rules And Regulations. Let's Do It And Do It Right." "Let's do that in a proper [way]. We're trying to force it through reconciliation, which has guardrails and rules and regulations. Let's do it and do it right,' he said." [The Hill, [11/03/21](#)]

Sen. Manchin Previously Shared Other Concerns With Paid Leave, Questioning Its Costs And Potential For Fraud.

Late September 2021: When Asked About Paid Leave On An Amtrak Ride, Sen. Manchin Reportedly Told A Passenger "We Just Can't Be Spending So Much Money." "Day herself buttonholed Manchin on the Amtrak train to New York from Washington, D.C., last week, when she spotted him and his wife sitting a couple rows ahead. 'I went and introduced myself, and I talked to him personally at length for more than 10 minutes about paid leave,' Day said. 'He was very cordial.' Manchin shared his concerns about how a paid leave program would impact small businesses, she said, and how 'we just can't be spending so much money.' Day shared her personal experience watching two parents cope with cancer without paid leave, which she said he was 'compelled by.'" [Politico, [10/29/21](#)]

Sen. Manchin Said A Paid Leave Program Could Invite Fraud. "At times, the senator from West Virginia said a paid-leave program could invite fraud, likening it to those who tried to collect unemployment even when they were not eligible." [Washington Post, [10/30/21](#)]

Sen. Manchin Discussed Work Requirements For Paid Leave Despite Employment Being A Condition For Taking Leave. "In some conversations with lawmakers and advocates, he asked about work requirements, even though employment is a condition for one to take leave in the first place, some of the people said." [Washington Post, [10/30/21](#)]

Manchin Said Paid Leave Could Hurt Small Businesses. "In other instances, Manchin raised the potential effect on small businesses, which needed workers to remain on the job." [Washington Post, [10/30/21](#)]

Manchin Suggested He Opposed Paid Leave Due To Concerns With The "Solvency" Of Current Social Programs. "And in public and private, Manchin highlighted issues with the 'solvency' of a new social benefit program, pointing to his long-documented concerns that existing federal entitlements, including Medicare, are running out of funds. 'I'm talking to everybody, but I've been very clear. To expand social programs when you have trust funds that aren't solvent, that are going insolvent — I can't explain that, it doesn't make sense to me,' Manchin said last week, adding that lawmakers need to 'start paying for things.'" [Washington Post, [10/30/21](#)]

61% Of West Virginian Workers Weren't Eligible For Even Unpaid Leave Under The Family And Medical Leave Act (FMLA) And Many Eligible Workers Can't Afford To Miss Paychecks.

61% Of West Virginians Were Not Eligible For The Family And Medical Leave Act's (FMLA) Entitlement To Unpaid Leave As Of 2020, And Many Are Unable To Afford Forgoing Paychecks.

The 1994 Family And Medical Leave Act (FMLA) Provides Eligible Workers Unpaid Leave For "Family Health And Caregiving Needs"—But Unpaid Leave "Is Often Unworkable For Families Struggling To Stay Afloat." "While the 1993 Family and Medical Leave Act (FMLA) provides eligible workers with an entitlement to unpaid leave for family health and caregiving needs, unpaid leave is often unworkable for families struggling to stay afloat when a new child arrives or serious illness strikes." [West Virginia Center on Budget & Policy, [02/12/20](#)]

As Of February 2020, 61% Of West Virginians Were Not Eligible For FMLA, Due To Their Inability To Take Unpaid Leave Or Due To The Size Of Their Employer. "Further, not every worker is eligible for FMLA. 61 percent of West Virginians cannot utilize FMLA, meaning they have no access to paid or unpaid leave, either because of their employer size or because they cannot afford to take unpaid leave." [West Virginia Center on Budget & Policy, [02/12/20](#)]

Many Employees "Fall Through The Cracks" Of FMLA, With The Pandemic Forcing Many Workers To Choose Between Family Caregiving, Their Own Health, And Work. "However, many employees fall through the cracks, an issue that has become more obvious since the Covid-19 pandemic, which forced many workers to choose between caregiving responsibilities or their own medical care and work." [CNBC, [11/03/21](#)]

West Virginia Had A Nine-Percentage Point Gender Gap In Labor Force Participation In 2020, Due Partly To Lack Of Family-Friendly Policies—And Nearly Three Times As Many Women In The State Were Unemployed At The End Of 2020 Due To The Pandemic Than A Year Prior.

In 2020, West Virginia Had A Nine-Percentage Point Gender Gap In Labor Force Participation, Due In Part To Lack Of Family-Friendly Policies—Nationwide, Women Were Expected To Lose \$64.5 Billion A Year From This Gap.

As Of February 2020, There Was A "Nine-Percentage Point Gap In Labor Force Participation Between Men And Women" In West Virginia, Partly Due To Lack Of Family-Friendly Policies. "In West Virginia, there is a nine-percentage point gap in labor force participation between men and women, in part due to the lack of family-friendly policies." [West Virginia Center on Budget & Policy, [02/12/20](#)]

Nationwide, Women Were Expected To Lose \$64.5 Billion A Year From Lower Labor Force Participation And Lower Work Hours. "If nothing is done, women nationwide will lose \$64.5 billion in wages each year from reduced labor force participation and lower work hours." [National Partnership for Women & Families, [January 2021](#)]

Nearly Three Times As Many West Virginian Women Were Unemployed At The End Of 2020, The Year The Pandemic Broke Out, Than At The End Of 2019.

West Virginia Lost 113,000 Workers By The End Of 2020, The Year The Pandemic Broke Out—With "Nearly Three Times As Many Women [...] Unemployed Compared To One Year Earlier," At The End Of 2019. "Women, especially Black, Latinx, AAPI and Native American mothers, were hit hardest by pandemic closures, working in many of the most-affected industries and bearing the brunt of increased caregiving without schools or child care. At the end of 2020, West Virginia's labor force had lost 113,000 workers and nearly three times as many women were unemployed compared to one year earlier." [National Partnership for Women & Families, [January 2021](#)]

Nearly 186,000 West Virginians Work In Frontline Industries, Facing Higher Risk Of COVID-19 Exposure And More Challenges In Family Caregiving.

Nearly 186,000 West Virginians Work In Frontline Industries, Facing Heightened COVID-19 Exposure And Caregiving Challenges.

Almost 186,000 West Virginians Worked In Frontline Industries, "Facing Heightened Risks Of Exposure And Challenges Managing Family Caregiving Needs." "Nearly 186,000 West Virginians – 4 percent Black, 1 percent Latinx and 1 percent AAPI – work in frontline industries, facing heightened risks of exposure and challenges managing family caregiving needs." [National Partnership for Women & Families, [January 2021](#)]

West Virginia Has "One Of The Nation's Oldest Populations," And Nearly A Quarter Of Its Workers Are 55 Or Older And At Higher Risk Of Serious Medical Conditions.

West Virginia Has "One Of The Nation's Oldest Populations."

West Virginia Is "A Poor State With One Of The Nation's Oldest Populations." "Supporters of a decades-old proposal to let workers take time off for medical needs including childbirth, surgeries and end-of-life care are dealing with another disappointment in Manchin's home of West Virginia, a poor state with one of the nation's oldest populations." [Associated Press, [10/31/21](#)]

Nearly A Quarter Of West Virginia's Workers Are 55 Or Older, With Higher Risk Of Serious Conditions That Require Care.

Nearly One Quarter of West Virginian Workers Are 55 Or Older, With Higher Risk Of Serious Medical Conditions That Require Care. "Nearly one in four workers is age 55 and older. [...] Older workers are more likely to experience serious medical conditions that require care." [National Partnership for Women & Families, [January 2021](#)]

Low-Income And Minority West Virginians Were Less Likely To Have Paid Time Off—Meanwhile, The State Had The 6th Highest Poverty Rate In The Country, With 16% Living In Poverty, And Low-Income And Minority Citizens Feeling Hardship Of COVID-19 "More Acutely."

Low-Income And Minority Workers Usually Do Not Have Paid Time Off.

Low-Income And Minority Workers "Typically Do Not Have Access To Paid Time Off." "The plan is aimed at providing more access for low-income and minority workers, who typically do not have access to paid time off." [CNBC, [11/03/21](#)]

In 2019, Before The Pandemic Started, West Virginia Had The 6th Highest Poverty Rate In The Country, With 16% Of Its Population Living In Poverty.

A September 2020 Analysis Found That West Virginia Had The "6th Highest Poverty Rate In The Country," Even Before The Pandemic Started. "New data released today from the Census Bureau's American Community Survey and an analysis of data from its ongoing Household Pulse Survey and other sources paints a bleak picture. People across West Virginia — particularly West Virginians of color and those with low incomes — continue to face dire economic hardship as a result of the COVID-19 pandemic, making the need for bold action at the state and federal levels clearer than ever." [West Virginia Center on Budget & Policy, [09/17/20](#)]

- **Headline: "Data Released Today Shows West Virginia Had 6th Highest Poverty Rate in the Country Even Before COVID Hardship, More Relief Needed"** [West Virginia Center on Budget & Policy, [09/17/20](#)]

As Of 2019, West Virginia Had A 16% Poverty Rate, With 278,734 West Virginians Living In Poverty. "An estimated 278,734 West Virginians lived in poverty in 2019, for a total poverty rate of 16.0 percent." [West Virginia Center on Budget & Policy, [09/17/20](#)]

West Virginia's Poverty Rate Was 3.7 Percentage Points Higher Than The National Average In 2019. "While poverty declined by 1.8 percentage points from 2018, West Virginia's poverty rate is still 3.7 percentage points higher than the national average, making it the 6th highest rate among the 50 states." [West Virginia Center on Budget & Policy, [09/17/20](#)]

Low-Income And Minority West Virginians Felt The Hardship Of Poverty "More Acutely" Due To COVID-19.

West Virginia's Low-Income And Minority Citizens Felt The Hardship Of Poverty "More Acutely" As A Result Of The Pandemic. "The poverty and income data from the Census Bureau do not reflect the impact of the COVID-19 pandemic. More current data from this summer show a sharp rise in hardship across West Virginia [...] This severe hardship is being felt even more acutely by West Virginians of color and people with very low incomes, who were already struggling to make ends meet before the pandemic as a result of longstanding inequities." [West Virginia Center on Budget & Policy, [09/17/20](#)]

Over 106,000 West Virginians Contracted COVID-19 In The Pandemic's First Year, With As Many As 15,800 Expected To Have Long-Term Symptoms That Require Caregiving Or May Interfere With Their Jobs.

Over 106,000 West Virginians Contracted COVID-19 In The First Year Of The Pandemic, With As Much As 15% Expected To Have Long-Term Symptoms That May Interfere With Work Or Require Caregiving.

"More Than 106,000 West Virginians Contracted COVID-19 In The First Year Of The Pandemic," With About 10-15% Expected To Experience Long-Term Symptoms That May Require Caregiving Or May Interfere With Their Work. "More than 106,000 West Virginians contracted COVID-19 in the first year of the pandemic. An estimated 10 to 15 percent – 10,600 to 15,800 – will experience long-term symptoms including difficulty breathing, chest pain or fatigue that may require care from a loved one or interfere with work." [National Partnership for Women & Families, [January 2021](#)]

One Paid Leave Advocate Said It "Helped Save My Life" While Others Noted How Lack Of Paid Leave Has Made Their Lives Difficult: "There Was A Lot Of Suffering And Heartbreak"; "It Was Very Worrisome Being With No Income"; "I Can't Go Back To Work Until [My Children Are] Clear."

One West Virginian Supporter Of The Build Back Better Plan's Paid Leave Proposal Said Her Access To Paid Leave "Helped Save My Life" Because It Allowed Her To Keep Her Job While She Underwent A Rehabilitation Program.

A West Virginia Advocate For The Build Back Better Plan's Paid Leave Proposal Said Paid Leave "Helped Save My Life" And That She Was "Lucky" To Have Access To It. "One advocate who campaigned for Democrats' paid leave plan on Tuesday, Khrista Messinger, of Charleston, West Virginia, said she also planned to meet with Manchin after the event. 'I believe I am only here today because I was lucky enough to receive paid leave, and it helped save my life,' Messinger said. 'It's something I believe that everyone should have.'" [CNBC, [11/03/21](#)]

The West Virginia Advocate Received Paid Leave In Order To Go To Drug Rehabilitation And She Said, "In Order To Get Clean, I Needed The Security Of Paid Leave To Be Able To Move Forward In My Life." "Messinger was granted paid leave when she needed to go to rehabilitation for drug abuse. Having paid leave allowed her to keep her job at her local police department while dedicating the time she needed to detox and get the treatment she needed, she said. 'In order to get clean, I needed the security of paid leave to be able to move forward in my life,' Messinger said." [CNBC, [11/03/21](#)]

One West Virginian Hoped To Have A Child Due To The Build Back Better Plan's Paid Leave Proposal, But Her "Hopefulness Turned Into Anger" After Manchin "Torpedoed" It—She Said, "It Almost Feels Personal Because Joe Manchin Is My Senator."

One West Virginian Hoped On Having A Third Child With Her Husband, A Military Member, But Her "Hopefulness Turned Into Anger" After Sen. Manchin "Torpedoed" The Build Back Better Plan's Paid Leave Proposal. "Jessi Garman, the mother of 3-year-old twin girls, has been searching for a job while also trying to have a third child with her husband, who's in the military. Optimistic that Congress finally would approve paid family medical leave, she thought the time seemed right. But that was before opposition by Democratic Sen. Joe Manchin of West Virginia torpedoed the proposal. Both having another baby and getting full-time work doesn't seem feasible now, and Garman's hopefulness has turned into anger." [York Dispatch, [10/31/21](#)]

The West Virginian Said, "It Almost Feels Personal Because Joe Manchin Is My Senator." "It almost feels personal because Joe Manchin is my senator,' said Garman, of Milton." [York Dispatch, [10/31/21](#)]

One West Virginian Said "There Was A Lot Of Suffering And Heartbreak" To Raise Her Three Children Without Paid Leave, Even Though Her Family "Followed The Textbook On What You're Supposed To Do."

One West Virginian Said "There Was A Lot Of Suffering And Heartbreak" To Raise Her Three Children Without Paid Leave, Even Though She And Her Husband "Followed The Textbook On What You're Supposed To Do To Be Responsible, Successful Adults." "Sarah Clemente hopes Young is right, since paid leave would have made things easier with all three of her children. Instead, she said, she had to take off a total of two years and return to work just a week after the birth of her youngest — Penelope, now 6 — whom she and husband Ryan adopted from a relative who couldn't care for her. 'We followed the textbook on what you're supposed to do to be responsible, successful adults. And while we are there now, there was a lot of

suffering and heartbreak,' said Clemente, a 40-year-old health care manager. 'And it's still hard.'" [York Dispatch, [10/31/21](#)]

One West Virginian Had To Return To Work Weeks Early After A Hip Replacement Surgery Because "It Was Very Worrisome Being With No Income"—A Partner At Her Firm Added That Build Back Better's Paid Leave "Would Have Helped. It Would Have Helped Us Retain Employees."

One West Virginian Had To Go Against Doctor's Orders And Return To Work At A Small Law Firm After A Hip Replacement Surgery. "In the rural town of Spencer, dental receptionist Samantha Camp is one of those who say they will continue to get by without a paid leave option just as they always have — with difficulty. Camp will keep paying about \$50 monthly for the disability insurance she buys as a hedge against having to miss work because of a bone problem that resulted in hip replacement surgery last year. After the operation, she felt she had no choice but to return earlier than doctors recommended to her job at a small law firm where she worked at the time." [York Dispatch, [10/31/21](#)]

The West Virginian Said "It Was Very Worrisome Being With No Income," As She Explained That She Could Only Take Two And A Half Weeks Off After Her Doctors Recommended She Take About Six Weeks. "It was very worrisome being with no income,' said Camp, 34. 'The doctors wanted to put me off for about six weeks. I just knew I couldn't do that financially. I was actually off only two and a half weeks.'" [York Dispatch, [10/31/21](#)]

A Partner At The Law Firm Said It Gave "All The Vacation Time It Could Scrape Together" And Added, "The Paid Leave That Would Have Come About Through Biden's Bill Would Have Helped. It Would Have Helped Us Retain Employees." "Chris Hedges, a partner in the law firm, said it gave Camp all the vacation time it could scrape together and having government-funded leave would have made things so much better. 'For small businesses to be able to afford paid leave is just about impossible,' Hedges said. 'The paid leave that would have come about through Biden's bill would have helped. It would have helped us retain employees.'" [York Dispatch, [10/31/21](#)]

One West Virginian Worried About Her Children Getting COVID-19, Noting "I Can't Go Back To Work Until They're Clear."

One West Virginian In A Poor Area Of Charleston Worried If Her Young Children Were To Get COVID-19, Saying "I Can't Go Back To Work Until They're Clear." "On Charleston's west side, which is home to many working class and poor people, Brittanie Hairston said paid leave would have eased her worries about what would happen if one of her sons, ages 6 and 10, were to get sick with COVID-19 or something else. 'I can't go back to work until they're clear,' she said." [York Dispatch, [10/31/21](#)]

One West Virginian Worried About Her Young Daughters With Lower-Wage Jobs, Noting "For People That Are Just Regular, Right At The Poverty Line And Working,' [...] 'It Would Make A Difference.'"

One West Virginian Said Her Two Daughters, Both In Their 20s And Working Relatively Low-Paid Jobs, Would Benefit From Paid Leave. "And Mildred Tompkins, who works with a health and education nonprofit in the state capital, said her own two daughters, who are in their 20s and working in relatively low-paid health care jobs, would have benefited from paid leave." [York Dispatch, [10/31/21](#)]

The West Virginian Said, "For People That Are Just Regular, Right At The Poverty Line And Working,' [...] 'It Would Make A Difference.'" "For people that are just regular, right at the poverty line and working,' she said, 'it would make a difference.'" [York Dispatch, [10/31/21](#)]