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**Testimony of Eric Swenson
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**Before the Committee on Executive Administration and Labor
Council of the District of Columbia**

Public Hearing Regarding:

**Bill 26-0182
“Universal Paid Leave Portability Amendment Act of 2025”**

May 14, 2025

Legal Aid DC¹ submits the following testimony regarding Bill 26-0182, Universal Paid Leave Portability Amendment Act of 2025. Legal Aid DC is proud of the work that the Council and District of Columbia agencies have done to create and implement the Universal Paid Leave (UPL) program. This program, as currently operated and as it could operate pursuant to the proposed amendment, provides essential support for the Legal Aid DC’s client community.

Though the Council and D.C. agencies have achieved much already, the proposed Universal Paid Leave Portability Amendment Act of 2025 would greatly improve the UPL program by expanding eligibility for the UPL program to a group of potential applicants who would otherwise be at extreme risk. At the same time, the proposed bill would strengthen communities within the District.

¹ Legal Aid DC is the oldest and largest general civil legal services program in the District of Columbia. The largest part of our work is comprised of individual representation in housing, domestic violence/family, public benefits, and consumer law. We also work on immigration law matters and help individuals with the collateral consequences of their involvement with the criminal legal system. From the experiences of our clients, we identify opportunities for court and law reform, public policy advocacy, and systemic litigation. For more information, visit www.LegalAidDC.org.

The Current Law and the Proposed Bill are Substantial Support to Legal Aid DC's Client Population

The current law provides significant resources to Legal Aid DC's client population. In our housing practice, we can advise clients that they can rely on the UPL benefits to pay ongoing housing costs. Our Family/Domestic Violence Law Unit may advise clients that they will be able to, for example, preserve the status quo of their living arrangements and custody agreements. Our Consumer Law Unit can help clients preserve homeownership for individuals and families using the UPL payments.

UPL payments are not designed to be a one-for-one replacement for our clients' usual earnings through their work. Nor are they designed to be a replacement for workplace specific benefits and insurance programs. However, the UPL payments do prevent or at least postpone the harshest effects of poverty, family instability, and economic crisis.

The proposed expansion of eligibility for UPL payments could greatly benefit Legal Aid DC client populations with a modest financial impact. The proposed bill permits recently unemployed workers to access benefits that were already paid for by their previous employer, but also clearly applies a requirement that the individual is not receiving benefits under the unemployment compensation laws of the District.² However, this expansion would be a lifeline for Legal Aid DC clients already dealing with the loss of their employment.

The Proposed Bill Provides Protection for Critically At-Risk Individuals and Families That is not Otherwise Available to Them

The proposed UPL expansion would fill in gaps of coverage left by other local and federal benefits, which cannot meet the needs of all potentially affected individuals.

- **Supplemental Nutrition Assistance Program (SNAP)** is not designed to meet the variety of financial needs addressed by UPL because SNAP only provides limited benefits for food costs.³

² The proposed bill's language reinforces the D.C. Code § 32-541.07(e) provision prohibiting an eligible individual receiving unemployment compensation from receiving UPL payments.

³ See "About SNAP" <https://dhs.dc.gov/service/supplemental-nutrition-assistance-program-snap> (last accessed May 16, 2025).

- **Temporary Assistance to Needy Families (TANF)** is only available to people with minor children and imposes work requirements with limited waiver opportunities and so individuals without children but caring for an elderly parent in hospice would not be eligible for these payments while they could be eligible for UPL.⁴
- **Supplemental Security Income / Social Security Old Age, Survivor, and Disability Insurance (SSI / SSDI)** is available when an individual has a disability expected to last for a year or longer that prevents them from working.⁵ This excludes from SSI/SSDI eligibility personal health events that are explicitly covered by UPL eligibility like miscarriage and stillbirth.⁶
- **Unemployment Compensation** is only available for persons who can certify that they are “physically able to work” and “available for work,” including that they make a minimum of two required job contacts or searches for new work.⁷

Conclusion

The Universal Paid Family Leave Portability Amendment Act of 2025 is a modest, appropriate adjustment to the already successful UPL compensation program. Legal Aid DC congratulates the Council and D.C. agencies for what has already been achieved. At the same time, Legal Aid DC encourages the Council to adopt this statutory change to ensure D.C. residents of modest means, who are often otherwise living paycheck to paycheck even when they are employed, can access these UPL payments if they become unemployed.

⁴ See “General Program Requirements” <https://dhs.dc.gov/service/tanf-district-families> (last accessed May 16, 2025).

⁵ See “What does ‘Disabled’ Mean for an Adult?” <https://www.ssa.gov/ssi/text-eligibility-ussi.htm> (last accessed May 16, 2025); “Who can get Disability” <https://www.ssa.gov/disability/eligibility> (last accessed May 16, 2025).

⁶ See D.C. Code § 32-541.01(15) (“Qualifying medical leave event’ . . . shall include the occurrence of a stillbirth”).

⁷ See D.C. Code § 51-109(3), (4).