CLASS DISPARITIES AMONG WOMEN:
The Case of Work-Family Policy in California

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INQUIRY AT THE INTERSECTION OF TWO KEY CONCERNS:

- Growing problem of work-family “balance,” with increased maternal labor force participation alongside minimal change in the gender division of family- and care-work.

- Rapidly increasing economic inequality and social polarization between “haves” and “have nots” since the 1970s – including new types of inequality among women
Managerial and professional women (& men) have the longest hours; other workers often want more hours (Jacobs/Gerson)

Differences in parenting norms – “intensive mothering” for the affluent (Hays, Lareau)

Managers/professionals more subject to the “motherhood penalty” than other women (Correll)

“Opting out”/ growth of paid domestic labor vs. forced work for former welfare recipients

BUT: managerial/professional women have more access to paid time off than the rest of the female labor force. Paid sick leave, paid vacation, and paid parental/family leave
UNEQUAL ACCESS TO EMPLOYER-PAID LEAVE

- Professionals, managers, and highly paid workers have more access to employer-paid sick leave, paid vacation, flexible hours etc. than low-wage workers (Heymann)

- Men have more access than women to these employer-paid benefits

- Exception: unionized workers and public-sector workers often have such benefits
Employed women and paid maternity leave, 1996-2000

- 42% of all women
- 18% of women with less than high school education
- 59% of college-educated women

% of women employed during first pregnancy who received any paid maternity leave upon birth of first child
Distribution of California workers among employers who provide leave benefits beyond those mandated, 2003
BENEFITS OF FAMILY LEAVE

- Facilitates work-family balance for women
- Improves health and well-being for infants, young children, elderly, and other care recipients
- Reduces wage penalties associated with motherhood and thus can help reduce gender inequality in the labor market
- Lowers turnover costs for employers
HISTORY OF WORK – FAMILY LEGISLATION IN THE U.S. & CALIFORNIA

- 1977: pregnancy covered by California TDI (6 weeks)
- 1978: Pregnancy Discrimination Act
- 1991 California Family Rights Act – 4 months job protected leave
- 1993 Family and Medical Leave Act
- 2002 (effective 2004) California becomes first U.S. state to provide Paid Family Leave
- Washington state and New Jersey have created PFL programs not yet in effect
FMLA PROVISIONS AND LIMITS

- Job protection for up to 12 weeks
- Covers establishments with 50+ workers within a 75-mile radius
- Employees must have worked 1250 or more hours for the employer the previous year
- Covers only half the workforce, 1/5 of new mothers
- Biggest limitation: FMLA leaves are unpaid
FMLA’S IMPACT ON EMPLOYERS (as reported in 2000 U.S. DOL survey)

- 64% of employers found compliance “very easy” or “somewhat easy”
- 84% of employers said FMLA had “no noticeable effect” or a “positive effect” on productivity
- 90% of employers said FMLA had “no noticeable effect” or a “positive effect” on profitability
FIELDWORK ON EMPLOYER VIEWS OF FMLA CONFIRM SURVEY DATA

- Pregnancy leaves especially manageable because managers can plan ahead
- Even unexpected family leaves are inevitable, so all organizations have contingency plans
- Most work covered by co-workers, though in some jobs this is impossible, and costs are incurred.
- Leave policies improve retention and morale
- Business opposition is more ideological than practical in nature – FMLA eventually proved a “non-event”
FMLA’S IMPACT ON WORKERS

- Frequency and length of leaves increased for mothers (but not fathers), then stabilized
- Today fewer mothers quit jobs or are fired as a result of first pregnancy than before FMLA
- Over half of maternity leaves still unpaid.
- Main reason for not taking needed family leaves is inability to afford unpaid leave
CALIFORNIA PAID FAMILY LEAVE
(passed 9/23/02, took effect 7/1/04)

- 6 weeks of pay for baby bonding or caring for seriously ill parent, child, spouse, or domestic partner
- Up to 55% of earnings w/maximum $840 a week in 2005 (but taxable)
- Gender-neutral, fathers & mothers
- Insurance model, like state disability
- Financed by a payroll tax, $63.53 p.a.
- Nearly universal private-sector coverage
THE CALIFORNIA MODEL: PROS

- A potential social leveler (and strongly supported by labor)
- No direct cost to employers.
- Modest cost to employees.
- Supplements other state supports for pregnancy (DI), "kin care"
- Political winner
Support for Paid Leave is Extensive (fall 2003 survey of California adults)
LIMITATIONS OF CALIFORNIA PFL

- Limited awareness, limited take-up (especially among men)
- No job protection in the statute
- No guarantee of continuation of fringe benefits
- Danger of reproducing pre-existing inequalities
Composition of PFL Claims

- 88% of claims were for baby bonding

- 12% were for caring for a seriously ill family member. Within this group:
  - Caring for ill spouse 36.3%
  - Caring for ill child 22.1%
  - Caring for parent 21.5%
  - Caring for others 20.0%

- Women were 83% of bonding claimants, 70% of caring claimants
LIMITED AWARENESS

- 22% of California adults were aware of new law in fall 2003; 29.5% in summer 2005, 28.1% in summer 2007
- Some employers are not aware of it, especially smaller ones
- Poor enforcement, limited outreach
- Market fundamentalism/anti-statism
Awareness of PFL Program, by Household Income, Race/Ethnicity, Age, and Nativity, California, Summer 2007

- Less than $25K: 14%
- $25-75K: 26%
- More than $75K: 36%

- Black: 18%
- Latino: 19%
- Asian: 38%
- White: 33%

- Age 18-34: 15%
- Age 35-54: 32%
- Age 55+: 37%

- Foreign-born: 20%
- U.S.-born: 32%
FUTURE PROSPECTS

- “Take it to the blue states” – all the action was on the state level, like Progressive era
- Paid sick days legislation at city level (San Francisco, D.C., and Milwaukee laws)
- Possibility of Federal PFL legislation in 2009
- Extremely popular with working families
- Organized business opposition is inevitable - but should not be appeased