



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*

WORK-FAMILY CLASS DISPARITIES

- 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

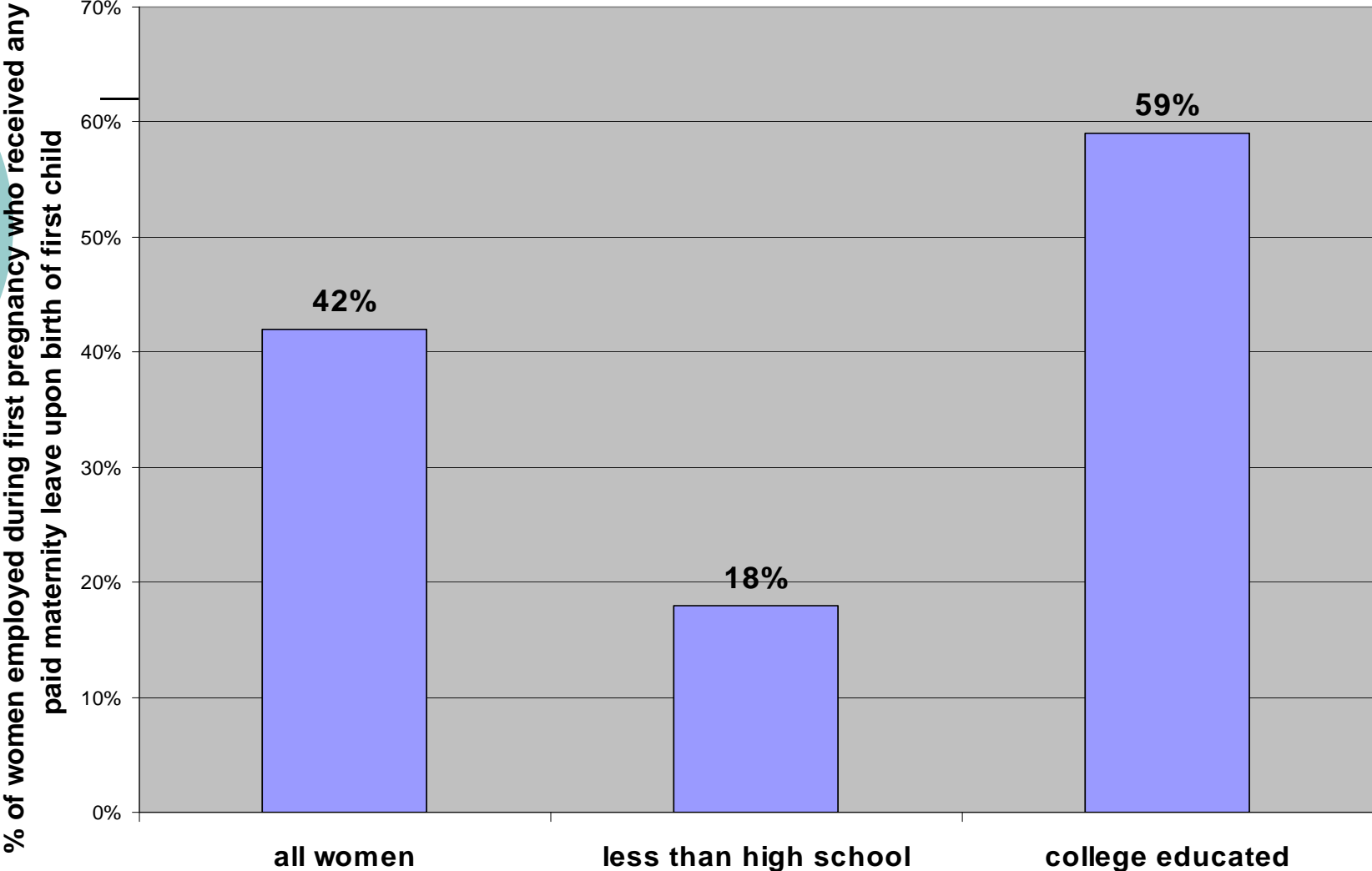
BUT: managerial/professional women have more access to paid time off than the rest of the female labor force. Paid sick leave, paid vacation, and paid parental/family leave



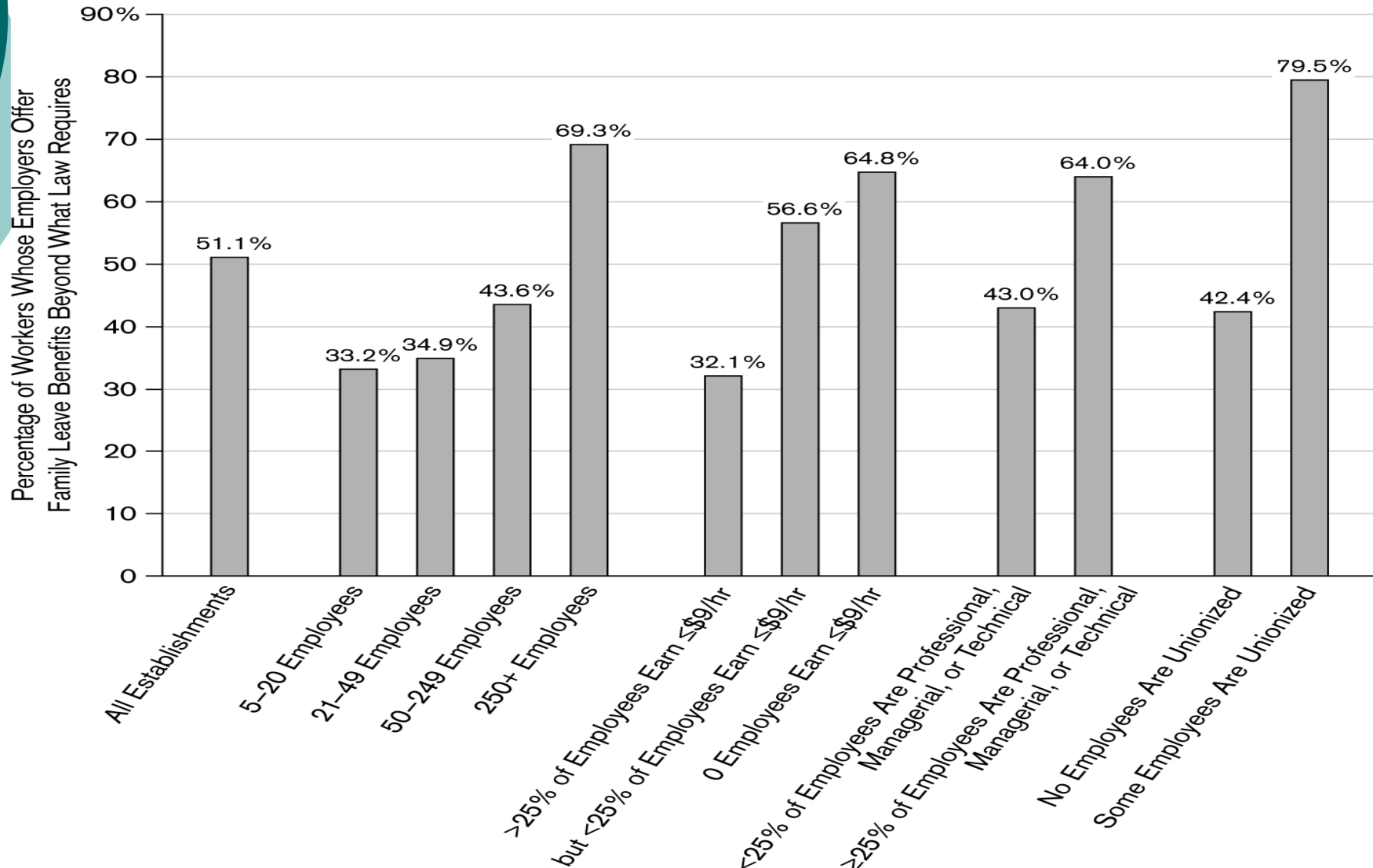
UNEQUAL ACCESS TO EMPLOYER-PAID LEAVE

- 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



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)

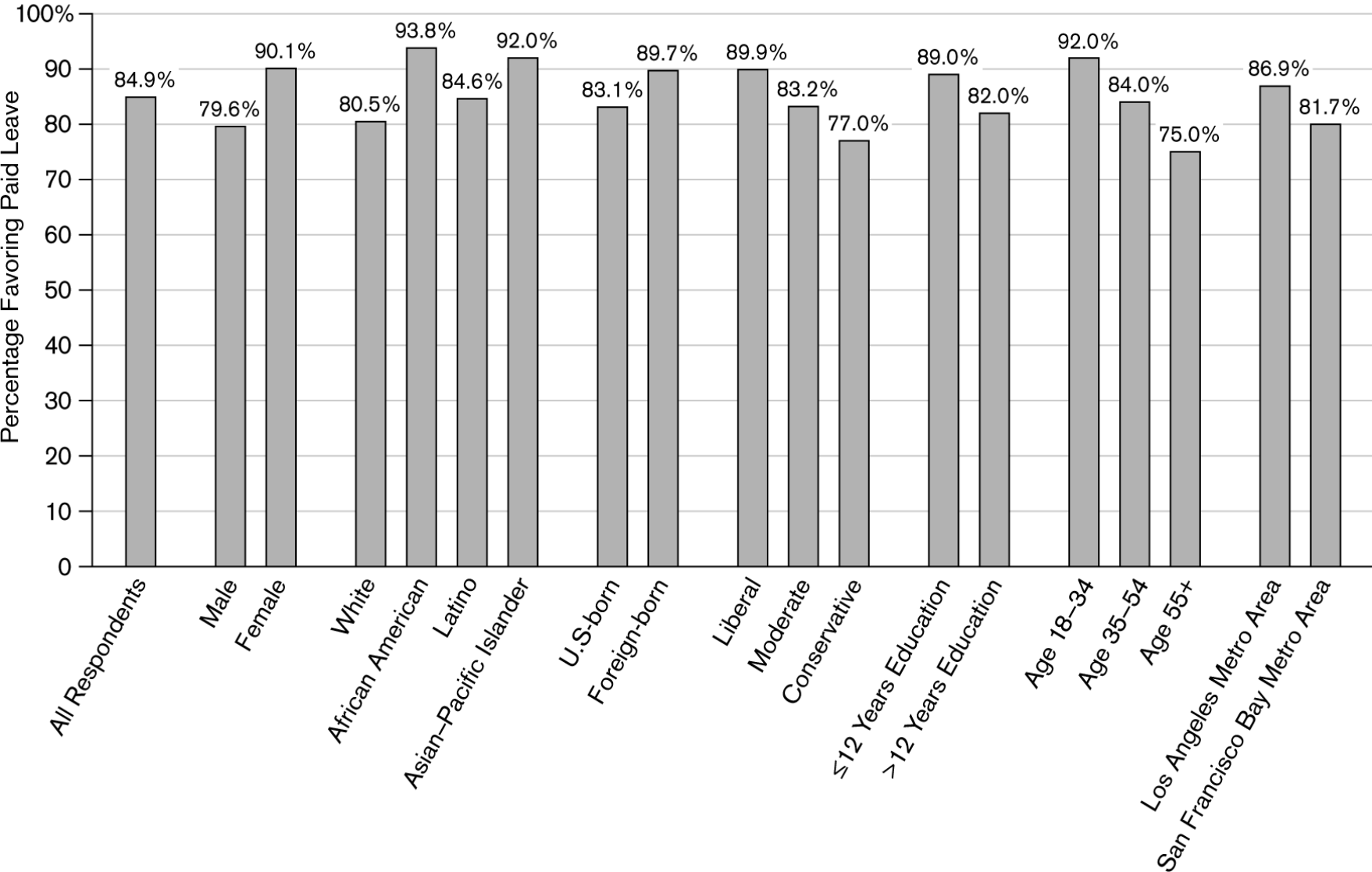
- 6 weeks of pay for baby bonding or caring for seriously ill parent, child, spouse, or domestic partner
- Up to 55% of earnings w/maximum \$840 a week in 2005 (but taxable)
- Gender-neutral, fathers & mothers
- Insurance model, like state disability
- Financed by a payroll tax, \$63.53 p.a.
- Nearly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

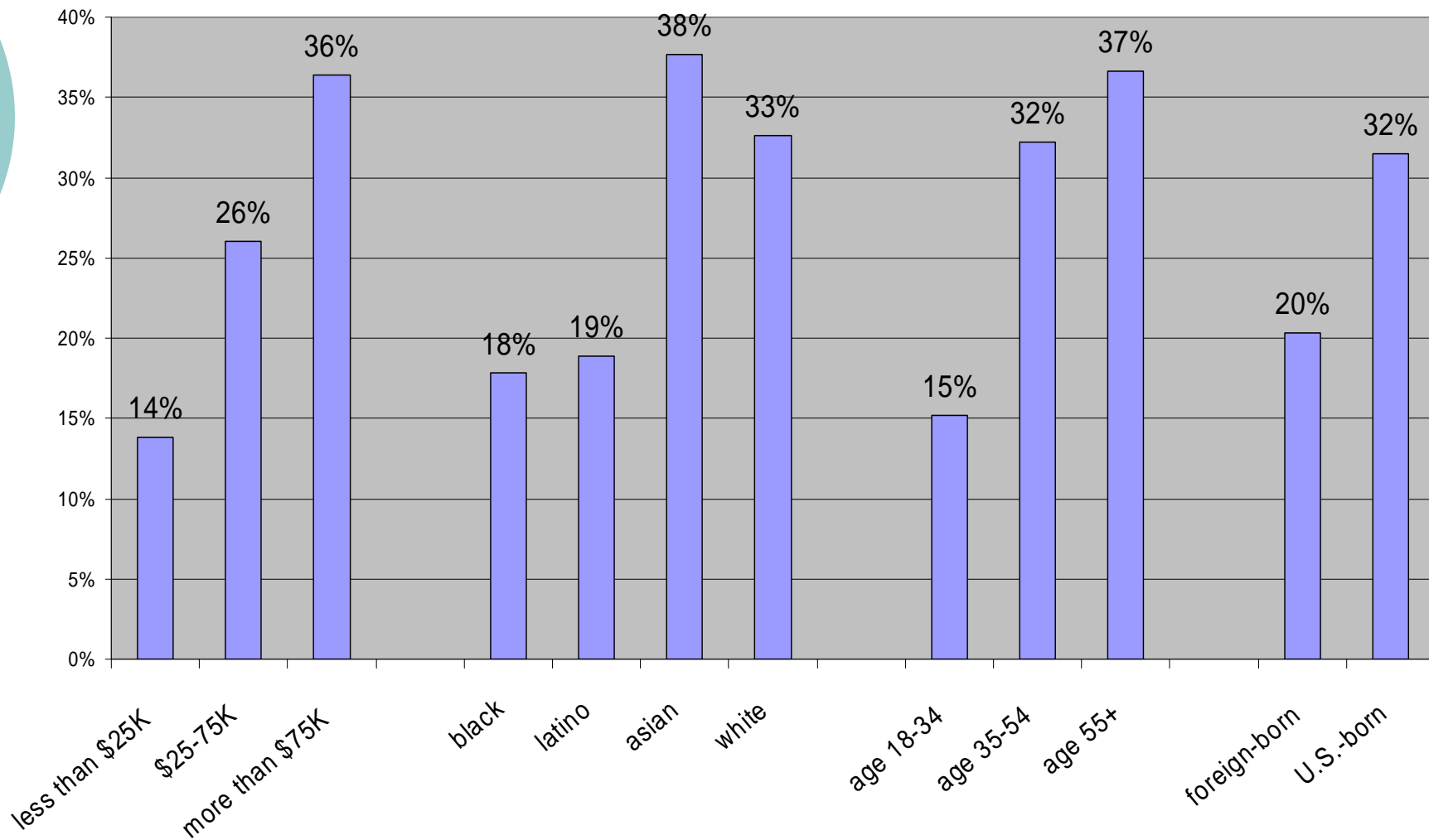
- 88% of claims were for baby bonding
- 12% were for caring for a seriously ill family member. Within this group:
 - Caring for ill spouse 36.3%
 - Caring for ill child 22.1%
 - Caring for parent 21.5%
 - Caring for others 20.0%
- Women were 83% of bonding claimants, 70% of caring claimants



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





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