



CENTER FOR
PUBLIC JUSTICE

Honor our mothers and fathers; secure paid leave for family and medical care

Families Valued | May 2023

Overview

Becoming a mother or father is one of the most joyful moments in a person's life. Yet, many new parents and family caregivers in the United States struggle to secure time to care for loved ones without financial strain or fear of job loss. Honoring one's family members, which many faith traditions teach and many Americans remember on Mother's and Father's Days each year, means building a common life in which all people can meet their family responsibilities.

The United States is currently one of the world's few industrialized countries without the guarantee of paid family leave for new parents and caregivers. Employer-based paid family leave policies reach only 23% of the workforce and are more commonly offered to those receiving a higher income. Workers in the highest-earning jobs are two to three times as likely to have access to either paid parental or paid family leave as those in the lowest-earning jobs.ⁱ Parents who are new to the workforce, those in lower-wage or precarious jobs, or those who choose to stay home to care for young children are those least served by the United States' current patchwork approach to supporting families.

Because of changes in the legal environment around pregnancy and abortion, it is more urgent than ever to address the material needs of expectant and new parents. In surveys of women seeking an abortion, one of the most common reasons given by women for making that choice was that they did not believe they could afford to cover the financial costs related to raising a child (73%).ⁱⁱ It is crucial that expectant parents be assured that they will be supported in caring for a new child.

Paid family leave is desired by a wide and diverse majority of Americans.ⁱⁱⁱ Developing a system of paid family leave for the United States offers an opportunity to solve a long-standing problem.

A council of Christian leaders with perspectives rooted in business, academic research, parenting, media, and church life convened by the Center for Public Justice (CPJ) agreed that it is time for the United States to pursue a comprehensive paid family leave policy. They identified several criteria for such a program:

- Provides meaningful support for families with attention to the most vulnerable.
- Is made accessible and easy to understand for families.
- Accommodates diverse cultural conceptions of kin.

Paid Family Leave that Works for All

Provides meaningful support for families with attention to the most vulnerable

American families experience, on average, a ten percent drop in household income before and after childbirth.^{iv} Without a commitment to paid family leave, families who welcome new children or undertake vital caregiving responsibilities do so while risking their family financial security. This is especially true for financially vulnerable families – younger people who are not yet established in their career, workers in lower wage jobs, part-time workers, single-parent families, and low-income families with a stay-at-home caregiver.

Families should be eligible for a standard paid family leave benefit based on a demonstrable caregiving event such as welcoming a new child or caring for a loved one at the end of life.

Recommendation: Establish a standard, minimum benefit for new parents and end-of-life caregivers.

The fear of job loss remains a top reason why many workers – particularly lower-wage workers – take less time off for parental and family leave than they need. The Family Medical Leave Act (FMLA) provides job protection for leave-taking employees but covers only a portion of the workforce. FMLA only covers about 60% of the workforce and only

provides 12 weeks of unpaid family leave.^v FMLA has several major limitations: the duration of employment -- an employee must have worked at least 24 hours a week within the last year for the same employer -- and the size of the employer. A minimum of 50 workers must be at the physical work location for an employee of that firm to receive FMLA.^{vi} Updating FMLA to include more workers is an important step in protecting time for family care.

Recommendation: Expand job protection currently available under the Family Medical Leave Act to more workers.

Accessible and easy to understand

Paid family leave is associated with demonstrable pro-family benefits, including mothers' increased ability to heal from childbirth and both parents' increased ability to bond with children. Fathers who take at least two weeks of leave for a new child, for example, are more likely to be actively involved in the care of a child nine months after birth.^{vii} Paid leave enhances caregivers' well-being and involvement, enabling them to support family members.

Because of the value of paid family leave, a national policy should be designed around ease of access during key caregiving events so that those who need it can truly access the benefit. Administratively complex programs impose a "time tax" on families and businesses alike.^{viii} Family experiences in states with paid family and medical leave programs highlight the importance of simplicity and avoiding administrative barriers in the context of paid family leave. Interviews with Californians about an earlier iteration of the paid family and medical leave program revealed that strict eligibility requirements and lack of awareness of the program were among the reasons households did not use it.^{ix} Likewise, as a diversity of private and public options for paid family leave emerge, employers may find themselves with an excess of monitoring and record-keeping requirements.

One way to avoid administratively top-heavy programs in the context of paid family leave is to focus on important, demonstrable caregiving events. To this end, CPJ's leadership council recommended establishing a standard, twelve-week cash benefit to new parents (by birth or adoption) and end-of-life caregivers. A caregiving-tied benefit administered directly by, for example, the Social Security Administration, would minimize the administrative cost to employers while enhancing access and predictability for families.^x

Accommodates diverse conceptions of kin

Caregiving can take a variety of forms throughout the life course: caring for elderly parents as a young adult, helping one's sibling secure mental health care, and attending educator meetings for a child with special needs are just a few.

The basic benefits that enable the kind of everyday care that is part of family life, such as paid sick leave and vacation time, are unavailable to more than 20% of the workforce.^{xi} One-third of Black workers and half of Latino workers, for example, do not regularly receive paid time off from work.^{xii}

Thus, there is a need for policy to address everyday caregiving and to accommodate broad and culturally appropriate conceptions of kin with respect to caregiving relationships. Rather than expect either employers or the government to arbitrate questions about which kind of care and for whom paid leave is for, lawmakers should make progress toward a system in which all who work can access at least two weeks of annual leave for health or caregiving purposes. It should be up to private households, then, to determine how to allocate that time.

There are multiple ways to accomplish a goal of two weeks annual leave for health or caregiving purposes. To date, over thirty states and municipalities have established baseline requirements for earned paid time off for illness or caregiving. Policymakers could build upon efforts at the state level to establish a minimum number of earned paid sick and caregiving days per year or pilot a portable benefit program that covers both traditional and non-traditional work arrangements.

Recommendation: Make progress toward a guarantee of at least two weeks of paid health and caregiving leave annually for all who work.

Families are Foundational

Families are the foundation of a healthy society. Families are the first in line to provide care at the most vulnerable moments of human life. But there is evidence that families experience real barriers to fulfilling their role. Data indicate that at least 20 percent of new mothers return to work within the first few weeks after giving birth; over 50 percent of

parents who took parental leave said they took less time off from work than needed.^{xiii} These indicators of family stress should urge us to ask what a family is worth and how we can enhance the flourishing of families in the United States.

Advancing paid family leave in the United States acknowledges the importance of families and contributes to their enduring strength in our society.

Acknowledgements: In 2021 and 2022, members of a CPJ-convened Families Valued Leadership Council met to develop common ground principles for paid family leave. Their ideas and recommendations informed this policy brief.

Khadija Garrison Adams Co-founder of Black Lactation Circle (BLaC) of Ohio, Leader and Chief Facilitator, On Neutral Ground * **Dr. Denise Daniels** Hudson T. Harrison Professor of Entrepreneurship, Wheaton College * **Kristen Day** Executive Director, Democrats for Life of America * **Judy Wu Dominick** Writer, Musician * **Dr. Steve McMullen** Associate Professor of Economics, Hope College * **Jena Lee Nardella** Former Partner, PRAXIS * **Grace Olmstead** Journalist * **Dr. Julie Hanlon Rubio** * Professor of Christian Social Ethics, Jesuit School of Theology (JST) * **Leah Libresco Sargeant** Writer * **Kaitlyn Schiess** ThD student, Duke University * **Rev. Amy Zietlow** Pastor, Evangelical Lutheran Church in America; Writer * **Proposal Advisor/Contributor: Rev. Sekinah Hamlin**, Justice and Witness Minister, United Church of Christ * **Research Associate** Tirzah Montayne, Center for Public Justice * **Convenor:** Rachel Anderson, Fellow, Center for Public Justice; Founder, Families Valued. *affiliations provided for identification purposes only.

About the Center for Public Justice

The Center for Public Justice is an independent, nonpartisan organization devoted to policy research and civic education. Working outside the familiar categories of right and left, conservative and liberal, we seek to help citizens and public officeholders respond to God's call to do justice. Our mission is to equip citizens, develop leaders, and shape policy in pursuit of our purpose to serve God, advance justice, and transform public life.

Endnotes

- ⁱ Isabel V. Sawhill, Sarah Nzau, and Katherine Guyot, *A primer on access to and use of paid family leave*, (Washington, D.C. : Brookings Institute, 2019), <https://www.brookings.edu/research/a-primer-on-access-to-and-use-of-paid-family-leave/>.
- ⁱⁱ Lawrence B. Finer et al., “Reasons U.S. Women Have Abortions: Quantitative and Qualitative Perspectives.” *Perspectives on Sexual and Reproductive Health*, 37(Issue 3) (September 2005): 110-118; Biggs, M. Antonia, et al. “Understanding why women seek abortions in the US.” *BMC Women's Health*, June 2013, 13 (Article 29).
- ⁱⁱⁱ Juliana Menasce Horowitz et al., “Americans Widely Support Paid Family and Medical Leave, but Differ Over Specific Policies,” *Pew Research Center's Social & Demographic Trends Project*, July 31, 2020, <https://www.pewresearch.org/social-trends/2017/03/23/americans-widely-support-paid-family-and-medical-leave-but-differ-over-specific-policies/>.
- ^{iv} Alexandra Stanczyk, “The Dynamics of U.S. Household Economic Circumstances Around a Birth,” *Demography* 57, no. 4 (August 1, 2020): 1271–96, <https://doi.org/10.1007/s13524-020-00897-1>.
- ^v Scott Brown et al., *Employee and Worksite Perspectives of the FMLA: Who is Eligible?* Produced for the U.S. Department of Labor, Chief Evaluation Office. Rockville, MD: Abt Associates Inc. (2020).
- ^{vi} Scott Brown et al., *Employee and Worksite Perspectives of the FMLA: Who is Eligible?*
- ^{vii} Maria Huerta et al., “Fathers’ Leave and Fathers’ Involvement: Evidence from Four OECD Countries,” *European Journal of Social Security* 16, no. 4 (December 1, 2014): 308–46, <https://doi.org/10.1177/138826271401600403>.; Nepomnyaschy, Lenna and Jane Waldfogel, “Paternity Leave and Fathers’ Involvement with their Young Children: Evidence from the American ECLS-B.” *Community, Work and Family*. 2007;10(4):427–54.
- ^{viii} Annie Lowrey, “The Time Tax: Why is so much American bureaucracy left to average citizens?” *The Atlantic*, July 27, 2021.
- ^{ix} Eileen Appelbaum and Ruth Milkman, “Leaves That Pay: Employer and Worker Experiences with Paid Family Leave in California,” *EPRN*, January 1, 2011.
- ^x Federal regulations governing Medicare reimbursement of hospice care specifies a process for establishing a hospice care plan. Such a plan typically includes a designated caregiver. See 42 CFR Section 418.56.
- ^{xi} U.S. Bureau of Labor Statistics, “Table 6. Selected Paid Leave Benefits: Access - 2022 A01 Results,” n.d., <https://www.bls.gov/news.release/ebs2.t06.htm>.
- ^{xii} U.S. Bureau of Labor Statistics. (2019). *American Time Use Survey, Access to and Use of Leave* (“Table 2. Workers with Access to Paid or Unpaid Leave by Selected Characteristics, Averages for the Period 2017-2018,” n.d., <https://www.bls.gov/news.release/leave.t02.htm>.)
- ^{xiii} Juliana Menasce Horowitz et al., “Americans Widely Support Paid Family and Medical Leave, but Differ Over Specific Policies,” *Pew Research Center's Social & Demographic Trends Project*, July 31, 2020, <https://www.pewresearch.org/social-trends/2017/03/23/americans-widely-support-paid-family-and-medical-leave-but-differ-over-specific-policies/>.