Comparative Family Policies and the Politics of Parental leave in the USA

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In recent years, we have witnessed an exponential wave of research and advocacy, which has brought the issue of paid parental and family leave up to the highest-levels of proximate policy making in the USA. Most notably, on Labor Day 2015 (7th September), President Barrack Obama reiterated a presidential memorandum pressing Congress for legislation to allow government employees six week of paid sick leave on the birth or adoption of a child, plus six additional weeks of paid parental leave. Social commentary to progress the issue was exemplified by Danielle Kurtzleben’s article published on 15th July 2015 for National Public Radio (NPR) entitled; “Lots of other countries mandate paid leave: why not the U.S.?”. Kurtzleben declared that paid family leave policy was now a top issue for the two front-running Democratic Party presidential candidate nominees. Hilary Clinton’s campaign video released on Mothers’ Day (May 10th) proposed a new paid Family and Medical Leave Act (FMLA), backed up by the populist declaration that ‘strong mothers build strong nations’. In essence, these and similar efforts have recast paid parental and family leave in the USA as a citizenship and nation-building issue.

This new way of thinking about the social politics of paid parental leave was pioneered across international and OECD family policy debates by the Columbia University scholar, Sheila B. Kamerman in a comparative study with Peter Moss on The Politics of Parental Leave Policies (2009). Advanced East Asian, Western and East European capitalist nations now offer paid leave, on the birth of a child, as the starting point for re-designing their

modern social care infrastructures. In essence, parental leave is now widely understood to be a necessary part of the ‘tool-kit for running a modern state’. Comparative scholarship and policy making on parental leave was greatly advanced by the establishment in 2004 of the International Network on Leave Policies and Research (LP and R) which publishes annual reviews to exchange information about leave policies and cross-national analysis of leave policies. Margaret O’Brien (2009), a leading member of the LP and R network used a soccer-mom (or dad) type analogy to sort modern nations into a descending order of league tables with the first group of countries located in the ‘premier league’ because they provided non-transferable father-quotas or paid ‘daddy months’. Iceland, was considered to be at the top of the premier league countries because in the year 2000 it introduced a total of nine months leave organised into three distinct parts with the first three months reserved for mothers, the second three months reserved for fathers, and the third three months to be transferred between couples as they chose. Sweden provided an alternative gold-standard among countries in the ‘premier league,’ which also included Finland and Norway alongside more recently promoted Germany, Portugal, and Slovenia. The English-speaking nations of Australia, Ireland and the United Kingdom tended to be located in the lower third division and, all on its own, in division four was the USA.

A major crosscurrent contributing to the ‘outlier’ location of the USA is American exceptionalism characterized by political sociologist Seymour Martin Lipset and specifically associated with stalled status of parental leave by legal scholar, Saul Levmore (2007). Crosscurrents include an emphasis on individualism and equal opportunity within a more business friendly environment. Change is highly unlikely because parents have been deterred from taking paid family leave because of legal precedents, which tended to uphold substantial workplace hostility. Employer hostility was voiced on September 10th 2007, when Randel Johnson, the Vice President of the US Chamber of Commerce, declared that the American
business community would wage “all-out-war” against any extension of paid parental and family leave legislation. Wisconsin Governor and recent presidential candidate, Scott Walker announced his opposition on the basis that advocates for paid parental were on the side ‘big government union bosses’ while he was on the ‘side of the people’. This type of conservative rhetoric, and in particular the statement by Randel Johnson was seized upon by the economics scholar, Nancy Folbre for a New York Times article pithily titled The Business of Paid Family Leave (January 27th 2014). Folbre countered that all employers including “card-carrying capitalists” should support paid parental leave, and the benefits of social insurance generally, because both “women and men” will always face a high probability of choosing to “take time off from paid employment” to care their children or aging parents.

The Folbre article highlights two very important concepts for international social policy debates about parental leave. The first and very controversial concept of ‘decommodification’ was popularised by Gosta Esping-Andersen in his seminal volume of political economy Three Worlds of Welfare Capitalism (1990). Esping-Andersen suggested that a minimal definition of decommodification “must entail that citizens can freely, and without potential loss of job, income or general welfare, opt out of work when they themselves consider it necessary” (1990: 23). Employees in Nordic countries, such as Sweden, and in central European countries, such as Germany, have gained high levels of decommodification through alliance building between the working and middle-classes, whereas employees in English-speaking countries such as the UK, Ireland, and the USA still struggle with lower levels of de-commodification. The second important concept raised in the Folbre article was the concept of social insurance, which flourished internationally during the course of the twentieth century to cover employees throughout the Western world and later in East Asia in the form of pensions, unemployment benefits and health insurance.
Rush documents the social policy brainwave of introducing social insurance schemes to reimburse working parents to stay at home and raise children in *Between Two Worlds of Father Politics: USA or Sweden?* (2015). Paid parental leave first introduced in 1974 by Sweden was followed up in the mid-1990s by the introduction of non-transferable father quotas or ‘daddy months’ to encourage gender equality through increased father involvement. The ‘invention’ by Sweden of social insurance schemes to cover parental leave was an advanced form of gender equal de-commodification, which went on to flourish in Iceland, Denmark, Norway, Finland, Estonia, Slovenia, Germany and Portugal and shape the 1983 and 2009 European Union Parental Leave Directives. The introduction of paid parental leave schemes in traditionally conservative countries such as Germany, Japan, Portugal and Spain led multiple researchers to question whether politics still mattered and in particular whether social democracy together with organized women’s movements remained the key drivers of employment-orientated family policies in Western, East-European and East-Asian democracies. The *Between Two Worlds* model illustrated that the introduction of parental leave schemes was always politically contested and that organized women’s movements were at the forefront of shaping legislation to ensure gender equality through the provision of non-transferable paid father quotas. In essence, the varied outcomes of these cross currents has been a growing international polarisation between children growing up in ‘parental-leave-poor’ countries and children growing up in ‘paid-parental-leave-rich’ countries (O’Brien, 2009) and that the public health benefits of paid parental leave included longer periods of sustained breastfeeding and a wider public sense of responsibility for the care of children.

New wave efforts to move the USA to a paid-parental leave country have included the National Partnership for Women and Families. NPWF pioneered advocacy for change in the USA through the launch of national campaigns to highlight state-by-state variations in social policies to support families with young children. The NPWF campaigns heralded the
publication of a report called *Expecting Better: A State-by-State Analysis of Laws that Help New Parents* (2012), followed quickly by another report called *Dads Expect Better: Top States for New Dads* (2012). Only fourteen states (and the District of Columbia) had laws in place to support parents working in the private sector on the arrival of a new baby, which expanded on federal FMLA support for fathers and mothers. A further eighteen states complied adequately with the federal minimum. The *Dads Expect Better* report concluded that social policies to support parental leave for American families ‘lagged behind those of other countries’ and declared that the United States could not wait any longer for public policies that honour new parents and their children because in their own words “America’s families can’t afford to wait. The time for action is now.” (2012:10). State-by-state analysis by the NPWF was augmented in a positive assessment of *Paid Family Leave in California* by Eileen Applebaum and Ruth Milkman (2013), which re-cast the roll-out of similar paid family leave legislation to other states in the USA as an “Unfinished Business”. In addition to beneficial outcomes for low-income families, multiple studies have highlighted the beneficial public health outcomes of parental leave. These include a major study by Jody Heymann and Kristen McNeill (2013) for the UCLA World Policy Analysis Centre entitled *Changing Children’s Chances*, which illustrated that 10 weeks paid leave for new mothers was associated with a 9 to 10% drop in infant mortality and under-5 mortality rates. Indeed, the latest research data emerging from countries with individualised or non-transferable paid parental leave (for both mother and fathers) show that it improves family health and well-being and encourages parents to consider having larger families. Further paid parental leave has been associated with lessening the gap between women’s expectations of father involvement and actual fathering practices thereby promoting more egalitarian parent–child relationships in families and more egalitarian adult-gender relationships in families and labour markets according to Seward and Rush.
Democratic Party politicians, NGOs, and the epistemic community of scholars in the USA, aware of social science research data on the beneficial outcomes associated with paid parental and family leave are generating a massive wave for cultural change but crosscurrents of resistance remain. Universal paid leave might not to be expected in the USA anytime soon but is being seriously revisited. As Bob Dylan once famously sang, ‘the times they are a changing’, or at least the USA seems to be readying itself for a cultural sea-change on paid parental leave and family leave policies. Interestingly, and in conclusion, the case of the USA illustrates two very important findings for international analysis of comparative family policy and comparative social policy research. The first finding is that the introduction of social insurance to cover paid parental leave in the USA is a highly contested political issue, which leads to the second finding that that politics still matter to re-shaping employment-orientated family policies to support citizenship and modern social care infrastructures.

Bibliography


