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### Family First

Parental leave laws in the United States have caused controversy between people. Parental leave laws define the amount of paid or unpaid time off that new parents receive during and after the birth of their baby, or during an adoption or fostering process. This is meant to allow new parents to safely go through the childbirth process, to bond with their children after birth, settle any necessary affairs such as daycare or babysitters, and receive the needed recovery time emotionally and physically. The primary legislation that currently exists about parental leave is the Family and Medical Leave Act (FMLA) which was created in 1993. This act provides 12 weeks of unpaid leave to parents in certain situations. It also covers leave time for sick workers or to care for sick family members. The FMLA applies to companies with over 50 employees working on location or within 75 miles, and to workers who have worked at the company for at least 12 months and 1250 hours previous to the leave time. Any people who do not fit those specifications, or who work for companies that do not fit the requirements do not necessarily receive leave time. Previous laws regarding this topic include the 1978 Pregnancy Discrimination Act, which protects workers from discrimination on the basis of pregnancy, childbirth or related medical problems. This helps to ensure that pregnancy, and any leave time or assistance needed as a result, will not affect the employment status of the worker, or her hire at a company. The controversy stems from the question of whether current parental leave laws

are sufficient, or if more legislation is necessary. Many believe that additional legislation could be harmful, while others think that the U.S. requires additional legislation to make mandatory parental leave applicable and helpful for all people.

There are many reasons why expanding parental leave laws would be unnecessary and harmful to businesses and society. Giving parents additional paid leave would place financial strain on the companies, as well as causing the other workers to have to cover the extra workload. Placing such a strain on small companies especially would be extremely detrimental to the companies, and could even cause them to go out of business, which would hurt the economy. There are already laws regarding this topic, so additional laws would be repetitive and demonstrate that the government is getting too involved in business affairs. As Adam Smith discusses in *The Wealth of Nations*, the government's role in society is not in the marketplace, and it should focus instead on other problems. The government should do no more in business than prevent monopolies. "The statesman who should attempt to direct private people in what manner they ought to employ their capitals would not only load himself with most unnecessary attention but assume an authority which could safely be trusted to no council and senate whatever, and which would nowhere be so dangerous as in the hands of man who have folly and presumption enough to fancy himself fit to exercise it" (Smith). The employees of a company are closely linked to its productivity and economic gains. Therefore, the government's continued interference with obligatory paid or unpaid leave time signifies undue interference with the economy. In addition, parental leave laws may indicate reverse discrimination against men or workers without families. Those workers will be unable to utilize the new parental leave laws. Then, they will be faced with the brunt of the extra work when the parents take their leave. This

is unfair to men and women who are not in relationships. Thus, changing the leave laws will be detrimental as it requires additional paid time off that is not available to certain groups in the company, which is discriminatory and places an unjust burden on those same groups.

In contrast, many believe that parental leave is a necessity that is not adequately covered with the country's current laws. They say at the minimum there should be unpaid leave for all working families, and ideally there should be better paid leave for a set period of time. Families are an integral part of American society, and it is important that they have the ability to thrive, work and provide while still caring for their children. It is compassionate to allow new parents to enjoy time with their children and bond while recovering physically and emotionally from a trying period. Other countries have much better benefits for parental leave; the U.S. placed second to last in a poll. Parental leave is an issue that is being neglected in the U.S. In addition, times are changing to allow stay-at-home dads to be much more common and accepted, and the law does not currently reflect this and support it. Now, there are also many more women in the workforce than there used to be. In the 1960's, 63% of women who worked and had children, quit their jobs after having a child. Then, in the 1980's that number dropped to 27%. In that same period of time, the use of paid maternity leave increased from 16% to 43%. These statistics indicate that paid maternity leave was extremely beneficial to keep women in the workforce, even after having children. If the country wishes to encourage women to work and still participate in other aspects of life like family, it should offer paid maternity leave. This will also support women's equality with men, because women will be able to work and have children as men are able to. The FMLA legislation excludes 40% of American workers with its criteria. Workers at small companies or who have recently switched jobs would not qualify for its

benefits. This excludes many part-time employees or people with lower incomes, who often work at small businesses like restaurants or stores. The laws are not all inclusive, so the whole country is not able to benefit from the ability to work and have families.

The current legislation regarding parental leave is outdated and insufficient. The United States requires a new law about parental leave that is more inclusive in order to promote gender equality in the workforce, raise healthier children, and be competitive with the social programs of other developed countries.

Current parental leave laws do not allow mothers to continue to work, which promotes gender inequality in the workforce, with a majority of men remaining. In the 21st century, women are an integral part of the American workforce. However, the benefits and options available to them do not reflect this change in demography, nor attempt to allow for a continued shift to gender equality. In the article, “Leave no parent behind”, Jonathan Cohn explains that “the American workforce has changed radically, thanks to the mass participation of women and the prevalence of two-breadwinner families. It makes sense that the necessary conditions for encouraging productivity might have changed, too” (Cohn). In order for women to have the ability to rise in the business world, while still maintaining some sort of family life, modern legislation must arise. In careers in the STEM fields in particular, there have been great efforts to increase the number of women, but many of these efforts do not include parental leave. Seabright McCabe of SWE magazine describes how many women engineers cite an “inhospitable work environment”, part of which is the lack of paid parental leave, as their cause for leaving the profession (McCabe). The departure of these women does not only counteract the hard-fought increase in gender equality in this field, but also “is idling some of [the industry’s] best talent --

sometimes for a few years, sometimes forever” (Cohn). Women have the ability to contribute greatly to the workplace, in various ways. The movements for equality that led to more diverse hiring gave people the opportunity to work. However, this does not alleviate their need for personal lives. Without the appropriate paid leave, the hard work for equality is invalidated. “Without government to enforce minimum standards and, in many cases, put up the money, a large portion of working parents won't be able to get the help they need” (Cohn). The lack of paid leave harms women and their children.

Children will be healthier with increased parental leave, because their parents will be available to care for them. Babies are immediately healthier when their parents spend time with them after birth. Author Jonathan Cohn explains that “extensions of paid leave for new parents lead to reductions in infant mortality.” These babies living gives them the opportunity to bond with their parents, and grow up to contribute to society. In addition, "healthier children cause less strain on the health care system further down the line” (Cohn). This signifies that the improved health of infants, although it may incur slight costs to the company initially, will decrease costs to the country, and the taxpayers later on. These healthy children add to a growing populus with the ability to contribute significantly to the workforce, and benefit the companies. These companies not only need to implement greater paid maternity leave, but also paternity leave. Lauren Sandler, in the article “Taking Care of Our Own”, writes that “paid leave allows -- and insists -- that men become active parents from birth. Are these not the ‘family values’ we profess to embody but have yet to actually support?” Traditionally, fathers have been the breadwinners, and mothers have been the caretakers. A more modern view allows women to work, and be breadwinners, as well as mothers. Or, more radically, men can become the primary caretakers of

the children. This supports the idea that they require paternity leave to bond with their newborn children as much as mothers. Enacting legislation that “insists” on this time off will aid the shift of traditional caretaking roles, while promoting the continued care of one’s family in addition to one’s job. Then, parents do not “have no choice but to neglect the needs of [their] families, or [their] work, or both” (Sandler). Parental leave makes family a feasible option for those of lower income, but additionally promotes a focus on family among the whole population.

Other countries’ extensive parental leave far exceeds that of the United States, which leads to a detrimental contradiction between the U.S.’ developed status and its state of affairs. President Obama addressed this issue in January: “we are the only advanced country on Earth that doesn’t guarantee paid sick leave or paid maternity leave to our workers.” The contradiction in his words are clear; the United States is an advanced country, yet it remains undeveloped in the area of parental leave. The importance of this issue was recognized in other developed countries, yet the United States has not made progress in this area for over twenty years. Ellen Bravo, the foremost advocate for workplace policy reform in the U.S., argues that even the best parental leave policies in the United States do not exceed the benefits for all citizens in other countries. For example, “this month, Netflix announced it would offer employees unlimited parental leave for up to a year”, yet “just across the border in Canada, a year is the amount of time all women receive” (Bravo). While Netflix is making important strides, and their parental leave policy garners them praise and employee satisfaction, this occurrence should not be something novel. Opportunities such as this one are available in countries throughout the world. For the United States to serve its citizens at an acceptable level, it must add legislation that brings the parental leave up to this minimum standard for developed countries.

The government needs to provide a law, such as the Family Act, that will cover the needs of new parents in the United States, to appease the voters and improve the country and its status. The Family Act is a social insurance fund, like Social Security, proposed by senator Kirsten Gillibrand and Representative Rosa DeLauro to provide paid leave for employees for up to 12 weeks. "The voters have made it clear that our leaders must reconcile the competing responsibilities of work and family" (Bravo). The Family Act is one way to make this happen. It both legitimizes caring for family, and allows workers to do this without having a financial strain, or imposing one on their employers. Particularly for small companies, paying for every worker's paid leave could be difficult. The social insurance fund would be workers paying for their own time off, "creating a self-sufficient program that would not add to the federal budget. The expected cost to the average worker would be similar to the expense of a cup of coffee a week" (McCabe). Therefore, it will not put undue financial strain on workers or businesses, and, as stated by Ellen Bravo, this solution will cause "the same retention and productivity boosts that Netflix seeks. It will also apply to all employees and cover the diverse reasons family members occasionally need leave." Thus, adding this legislation would be beneficial to all parties, and have minimal detriments. The Family Act is not the only possible solution, but some form of legislation must be passed.

The United States requires new legislation to cover paid parental leave for workers in businesses throughout the country. The laws will increase gender equality in the workplace, cause parents to raise healthier children that are more bonded with their parents, balance the U.S. standard with the great parental leave in all other developed countries, and appease the voters with a social insurance fund that will have minimal costs for all parties. The United States is not

a country full of only businesspeople. It is a country of families. It is possible to be a productive worker in a company and simultaneously be a parent. However, this is not a feasible achievement with the current parental leave laws. There should be new legislation to allow parents to spend sufficient time with their children, so the children and parents are healthy, happy and united. Support the Family Act, or other new legislation that will require paid parental leave. It is the path to a better future for us, and our children.



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