



# **Family and Work Balance Policies in North America: A Focus on Parental Leave in the United States, Canada and Mexico**

Mihaela Robila, Ph.D., CFLE  
Professor

Human Development and Family Studies  
Queens College, City University of New York

National Council on Family Relations (NCFR) – Main Representative at the UN

[Mihaela.Robila@qc.cuny.edu](mailto:Mihaela.Robila@qc.cuny.edu)

<http://qcpages.qc.edu/~mrobila/>

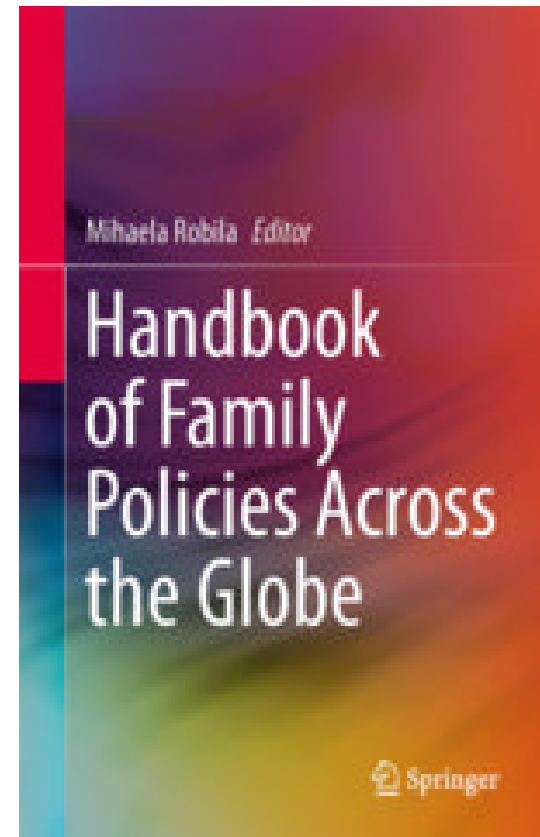
United Nations Department of Economic and Social Affairs (UNDESA)  
United Nations North American Expert Group Meeting  
Mexico City, Mexico, May 2014

# Family Policies

- Family policies are defined as government activities that are designed to support families and enhance family members' well-being (Zimmerman, 2001)
- Family policies areas
  - family policies targeting marriage (e.g., family code, domestic violence)
  - **child-rearing and family-work balance** (e.g., parental, maternity and paternity leaves; child support)
  - family policies supporting families at risk (e.g., poverty; disabilities)
- The 20<sup>th</sup> Anniversary of the International Year of the Family in 2014 - great opportunity to examine the progress made in developing parental leave policies in different countries.
- The goal of this paper is to review parental leaves in the United States, Canada and Mexico

## Family Policies across the Globe

- Family Policies
  - Developing, implementing and evaluating sound and effective family policies are important steps in empowering families and developing societies
- Trends in family policies development, implementation and assessment across the globe:
  - “Handbook of Family Policies across the Globe” (Robila, Ed.) –Springer 2014
    - 29 chapters on family policies
      - Africa (Sierra Leone, Botswana, Kenya)
      - Asia (China, India, Japan, South Korea, Taiwan)
      - Australia
      - Europe (Sweden, Norway, Russia, Moldova)
      - North America (US, Canada, Mexico, Caribbean)
      - South America (Brazil, Ecuador, Colombia)



## Parental Leave

- Parental leave - one of the main social policies designed support the accommodation of family and work responsibilities
- Family friendly policies - designed to offset the tension between the workers' schedules and responsibilities (Drago, 2011; Tremblay, & Genin, 2011)
- Family policies - particularly parental leaves - significant impact at the family level, on the quality of marital and parent-child relationships (Robila 2012, 2014)

## Theoretical Perspectives

- Tremblay (2010) - theoretical perspectives on work-family relationships models: *work-family balance, work-family alternating model, non-interventionist*
- *Work-family balance or cumulative model* (possible to cumulate work and family, without sacrificing one for the other) - balance the demand of work and family life, by allowing both women and men to remain employed while assuming their family responsibilities
  - Variety of public measures to support balance in work and family life
    - accessible child care services
    - good work-time arrangements
    - paid and flexible parental leave, encouraging a more equal share of both work and family responsibilities for both men and women (e.g., in Norway, Finland, Iceland, Quebec)

## Theoretical Perspectives

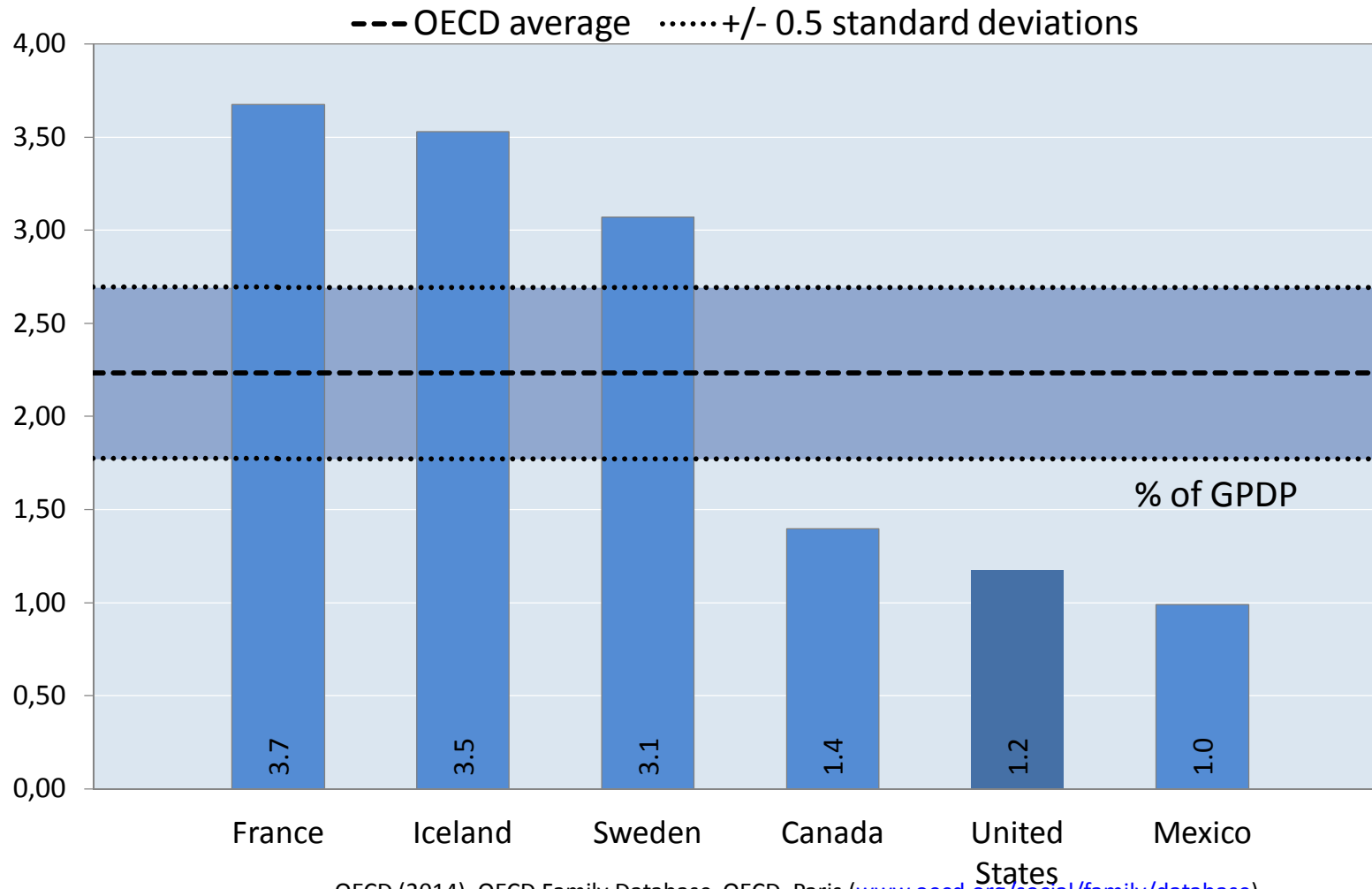
- *Work-family alternating model*
  - to encourage employed parents (mostly women) to choose a strategy to enter and exit labor market to balance work and family life, by giving priority to one sphere over the other at different times
  - the state encourages women to leave their jobs or to reduce their work hours in order to take care of their children until they reach school age and then to return to work (e.g., in Germany, Netherlands)
- *Non-interventionist model*
  - absence of generalized measures for adjusting work - family relationship, due to limited resources (e.g., in Portugal) or to prevalent ideology of non-intervention (e.g., UK, USA) (Tremblay, 2010)
  - accommodating the work and family responsibilities - private matter, left to be addressed by individuals and employers
  - the collective bargain at the company level must compensate for the lack of public policy
  - Canada and USA - associated with the non-interventionist model

## Structure of Families

	Total Fertility Rate - 2009 (no. of live births per woman)	Share of sole-parent families - 2008 (% of all households)	Mean age of women at first birth - 2008 (years)	Proportion of births outside marriage, 2008	Crude divorce rates - 2008 (no. of divorces per 1000 people)
U.S.	2.04	9.20	25.00	38.50	3.70
Canada	1.66	15.70	27.60	24.50	2.20
Mexico	2.08	10.30	21.30	55.09	0.73
France	1.98	8.00	28.60	52.56	2.10
Iceland	2.14	7.24	25.93	64.14	1.70
Sweden	1.94	no data	28.40	54.74	2.30
OECD (M)	1.74	9.43	27.77	36.28	2.08

OECD (2014), OECD Family Database, OECD, Paris ([www.oecd.org/social/family/database](http://www.oecd.org/social/family/database))

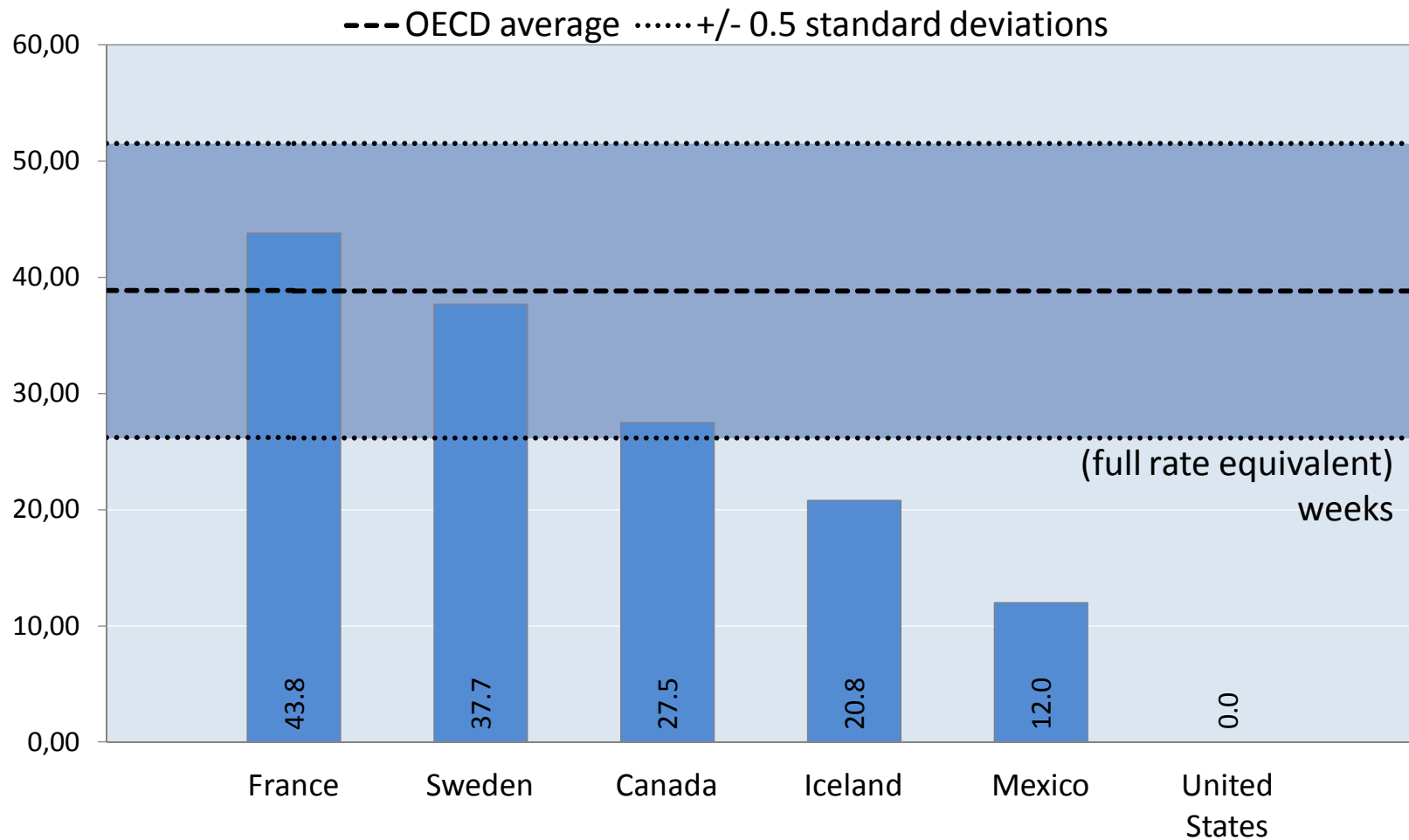
# Public Spending on Family Benefits (2007)



OECD (2014), OECD Family Database, OECD, Paris ([www.oecd.org/social/family/database](http://www.oecd.org/social/family/database))

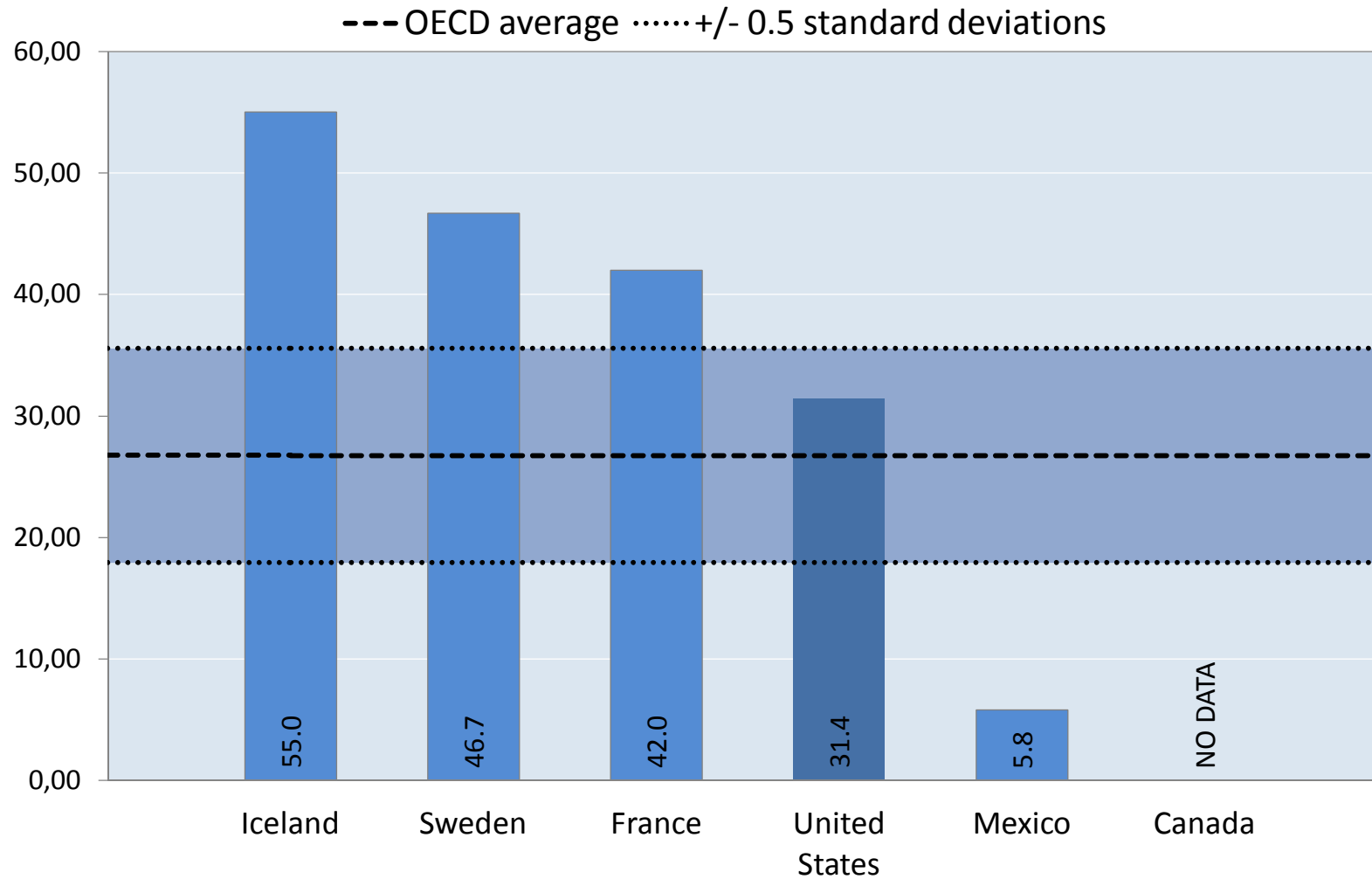


# Maternity and Parental Paid Leave (2007-08)



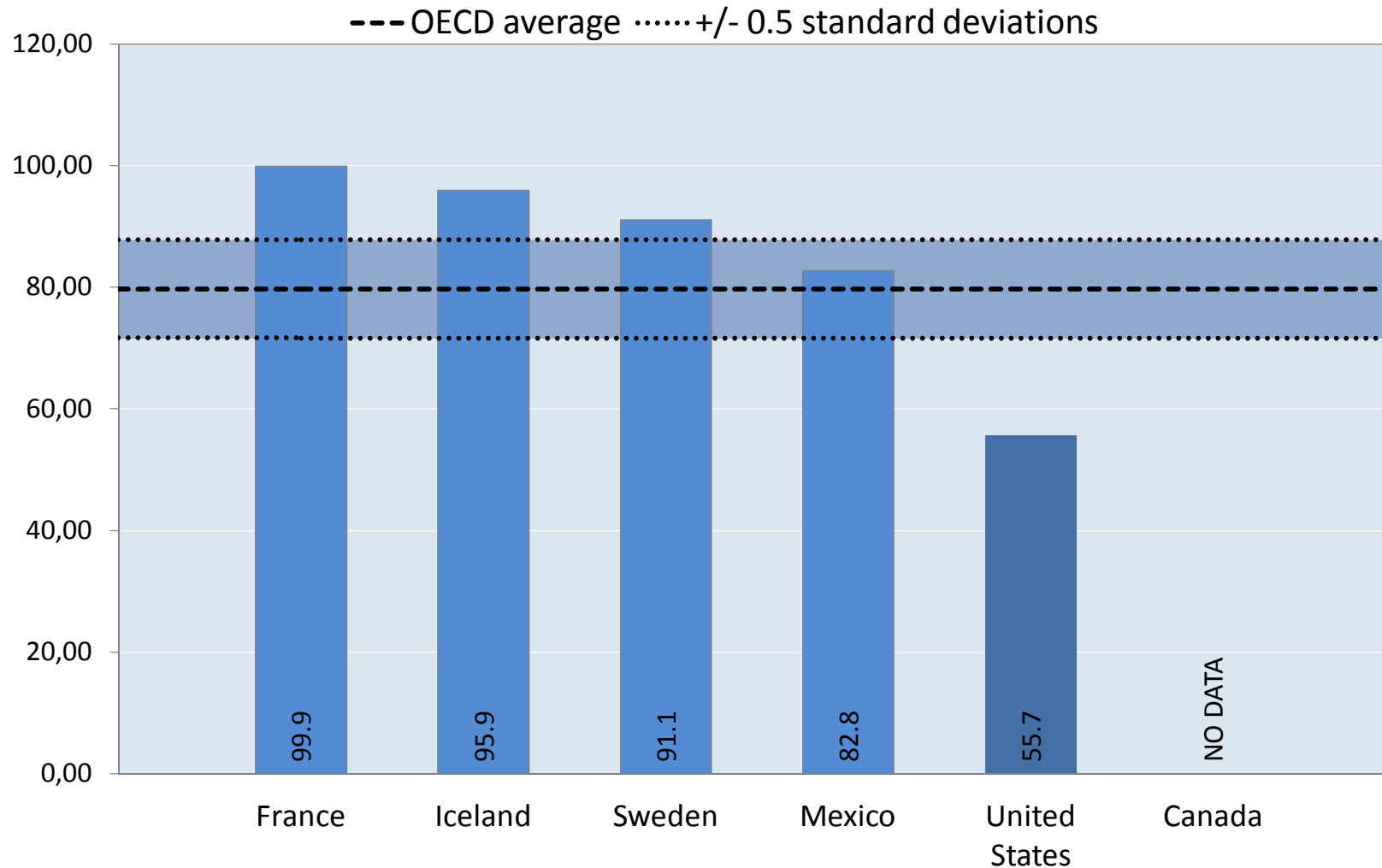
OECD (2014), OECD Family Database, OECD, Paris ([www.oecd.org/social/family/database](http://www.oecd.org/social/family/database))

## Enrolment Rates for 0-2 year olds (2008)



OECD (2014), OECD Family Database, OECD, Paris ([www.oecd.org/social/family/database](http://www.oecd.org/social/family/database))

## Enrollment Rates for 3-5 year Olds (2008)



OECD (2014), OECD Family Database, OECD, Paris ([www.oecd.org/social/family/database](http://www.oecd.org/social/family/database))

## Parental Leave in the U.S.

- *Family Medical and Leave Act (FMLA) (1993)*
  - Provide working women and men in the U.S. with 12 weeks *unpaid* job-protected leave to care for a new born and adopted child (parental leave) or for a medical condition
  - Requirement – employee -work at least 52 weeks and 1250 working hours a year
  - Employers - provide the leave only if -more than 50 employees within a 75 miles
    - Many parents working in smaller organizations are not eligible
- The lack of federal and state funding for parental leave under the FMLA favors the most privileged of married parents (Drago, 2011)
- Some states - provide some paid leave for working parents (California, Washington, Minnesota, Montana, New Mexico) (Kamerman & Waldfogel, 2008)



## Parental Leave in the U.S. - Implementation

- Implementation - impacted by a variety of factors: awareness of beneficiaries about the policies, social perception about the policy, and practically (people being able to actually use it) (e.g. Fitzpatrick & Kostina-Ritchey, 2014)
- Women are more likely than men to take it given that their earning power is lower than that of men
- Awareness about a policy is a critical factor in people using the policy
  - The media and the organizational/institutional environment are important factors in informing and educating the general public and their employees about their rights

## Parental Leave in the U.S. – Implementation

- Social policy could be meaningless without mechanisms that allow implementation (Kramer, 2008)
- Unions can play an important role in increasing awareness about policies among the employees and supporting their implementation (Kramer, 2008)
  - National Longitudinal Survey of Youth (1992-2002)
    - Union members' knowledge regarding their rights is better than that of nonunion members
    - Employees who are more likely to use the policy were more likely to be aware of them - women were more likely than men to be knowledgeable about the leave benefits

## Parental Leave in the U.S. – Social Perception

- Study on employee awareness of family leave benefits (Baird & Reynolds, 2004)
  - 91% of employed FMLA-eligible women report they have access to unpaid leave compared to 72% of men
  - work situations more than family situations affect knowledge of family leave benefits
- Social perception of parental leave - important factor in its implementation,
  - positive perspectives associated with higher chances of usage and negative perspective preventing eligible parents from taking it
- Men and women who took parental leave - perceived as less committed to their jobs compared to those who did not take it and to be less likely to be recommended for promotions (Allen & Russell, 1999)

## Parental Leave in the U.S. - Social Perception

- Research on the perceptions of mothers and fathers who take temporary work leave - shift towards more positive attitudes toward combining family and work life
- A study with undergraduate students (Coleman, & Franluk, 2011)
  - Parents who took parental leaves were rated more positively than stay-at-home parents and working parents who did not take the leave
  - Parents who took the leave were also rated as being more competent than stay-at-home and warmer than working parents
  - They were also expected to be less successful in their careers than the parents who did not take the leave but more successful than the parents who stayed at home
- Acknowledging this shift from the traditional gender roles towards a positive view on balancing family and work roles might encourage working parents to take the leave



## **Paternity Leave in the U.S.**

- While there is no paid paternity leave in US, research shows that the majority of fathers take at least some leave at the birth of their child, but that the length of that leave varies (Nepomnyaschy, & Waldfogel, 2007)
  - Most of the fathers take time off work only about a week (e.g., Malin, 1998)
  - Fathers who take longer leaves are more involved in child care activities nine month later (Nepomnyaschy, & Waldfogel, 2007)
- One of the main rationales for provisions of paternity leave is that it means increasing the father-child bond and father involvement in childrearing activities, with important impact on child's cognitive and socio-emotional development

## Parental Leave in Canada

- Parental leave policy in Canada - considerable progress
- Since 2001 Canadian employed parents - the right to take up to a 1 year paid parental leave with a 55% wage replacement rate (Ray, 2008; Tremblay, 2010)
- Canada 's parental benefits are provided through the federal government 's employment insurance program and the statutory right to return to work is covered by federal, provincial and territorial legislation (Evens, 2007)

## Parental Leave in Canada

- Quebec - a new parental leave (2006)- due to declining birth rates but also to the significant involvement of women's advocacy organizations which supported a cumulative / work-family balance model (Tremblay, & Genin, 2011)
  - different from those in the rest of Canada
  - provides better paid and more flexible benefits
  - maternity leave & paternity leave that is non-transferable to the mother, and a 1 year paid parental leave that can be shared between the parents, and pays 55% or 75% of salary, depending on which option is chosen
- The paternity leave
  - three week (75% wage replacement) or 5 week leave (55% wage replacement)
  - introduced to strongly encourage father involvement in child care

## Parental Leave in Canada

- Quebec - extends coverage to those who are self-employed, provides a higher earning replacement and - the option to claim higher benefits for a shorter leave (Evens, 2007)
- In Quebec family policy - the result of a very strong involvement of social actors such as union and women's groups
  - asked Quebec government to support day care systems and to provide better parental leave that was provided by the federal government (Tremblay, 2010)

## Parental Leave in Canada

- Parental leave is an important right for employees - its implementation in different work environments, not always effective (Tremblay, & Genin, 2011)
- Research indicates - management needs to make sure that employees feel supported by their work environments when they take the leave and that they do not feel that they have to pay for it in terms of career opportunities and promotions
- Organizational support for parental leave utilization plays an important role in the actual implementation of these policies (Tremblay, & Genin, 2011)
- Research - parents in Quebec are more likely than other Canadian parents to take the paid parental leave, especially the fathers; more than  $\frac{3}{4}$  of newborns in Quebec had a father who took some leave compared to  $\frac{1}{4}$  in the rest of Canada (Statistics Canada, 2012 cited by Rose & Humble, 2014)

## Parental Leave in Mexico

- Parental leave in Mexico is restricted to employees working in the formal sector (Gomes, 2014)
  - The rights guaranteed by legislation to protect women during maternity period - restricted to women working formally, leaving out many of them who work in the domestic and informal sector, such as caregivers, farmers, domestic workers (Gomes, 2014)
- Working mothers and all working parents with the right to Social Security can participate in maternity and child care benefits provided by the Mexican Social Security Institute (Instituto Mexicano del Seguro Social, IMSS)

## Parental Leave in Mexico

- Federal Labor Law - working mothers receive their full wages for 42 days (6 weeks) before childbirth and 42 days (6 weeks) after (Kamerman, 2000)
- The benefits include 100% wage replacement (75% from the social security system and 25% employer) (Pautassi, & Rico, 2011)
- Mothers - allowed to take two 30-minute breaks per day in order to breastfeed (Pautassi, & Rico, 2011)
- In 2012 Mexico introduced a five days paid paternity leave (World Bank, 2012)
- Gender Equity Model (MEG) (2003) - provides awards to private businesses, public institutions and organizations that commit to a review of internal policies and practices with a view to adopting non-discriminatory management tools and affirmative actions (Pautassi, & Rico, 2011)

## Recommendations

- Increasing the utilization of parental leave by providing payment benefits
- Increasing the participation of fathers by providing paternity leaves (leaves designed only for the fathers)
- Assure effective policy implementation by requiring employers to inform their employees about their rights and to support them in taking the leave
- Conducting research on the effectiveness of parental leave and use the data on policy revisions and improvements
- Encourage NGOs and Civil Society to request their Governments to enact and implement effective family policies