

#### **4. FULL EMPLOYMENT AND DECENT WORK: ENSURING WORK–FAMILY BALANCE**

### **FAMILY AND WORK BALANCE POLICIES IN NORTH AMERICA: A FOCUS ON PARENTAL LEAVE IN UNITED STATES, CANADA AND MEXICO**

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Parental leave is one of the main social policies designed to support the accommodation of family and work responsibilities. Family friendly policies are designed to offset the tension between the workers' schedules and responsibilities (Tremblay, & Genin, 2011). Government policies can facilitate simultaneous commitments to employment and to family (Drago, 2011). Family policies, and particularly parental leaves have a significant impact at the family level, on the quality of marital and parent–child relationships (Robila 2012, 2014).

The 20<sup>th</sup> Anniversary of the International Year of the Family in 2014 represents an opportunity to examine the progress made in developing parental leave policies in different countries. The goal of this paper is to provide a review of parental leaves in United States, Canada and Mexico.

#### **BACKGROUND DATA**

The importance of the family in society needs to be recognized through an appropriate level of public spending on family benefits programs. It has been recommended that 2.5% percentage of the GDP should be set aside specifically for the family (IFP, 2008). OECD data (2014) indicate that public spending for family benefits varies between 1% of GDP in Mexico, 1.4% of GDP in Canada, 2.1% of GDP in the U.S., to 3.1% of GDP in Sweden, 3.5% of GDP in Iceland, 3.7% of GDP in France (Figure 1). Increasing the percent of GDP set aside for families would increase the opportunities to provide more effective and extensive services.

Family demographics have registered variations such as an increase in age at the first child or fertility rates. Data indicate that mean age of women at first birth varies from 21.3 in Mexico, to 25 in U.S., and to 27.6 in Canada, while the fertility rate varies from 1.66 in Canada, 2.04 in U.S., and 2.08 in Mexico (OECD, 2014) (Table 1).

Fully paid parental leave varies between 27.5 weeks in Canada, 12 weeks in Mexico, to 43.8 weeks in France and 37.7 weeks in Sweden (Figure 2) (OECD, 2014). Early childhood education and care services represent important dimensions of family services.

TABLE 1

Structure of Families

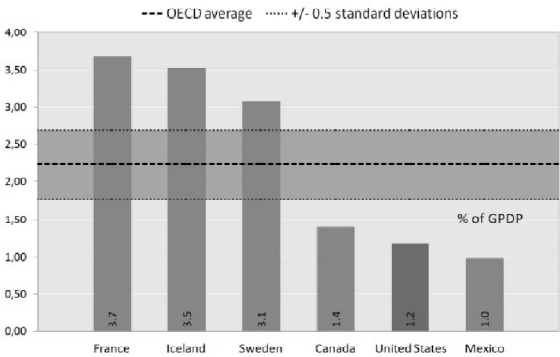
	Total Fertility Rate 2009 (no. of live births per woman)	Share of sole-parent families 2008 (% of all households)	Mean age of women at first birth 2008 (years)	Proportion of births outside marriage 2008	Crude divorce rates 2008 (no. of divorces per 1000 people)
U.S.	2.04	9.20	25.00	38.50	3.70
Canada	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

Source: Eurostat and Human Fertility Database.

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FIGURE 1

Public Spending on Family Benefits (2007)



Source: OECD (2014), OECD Family Database, OECD, Paris.

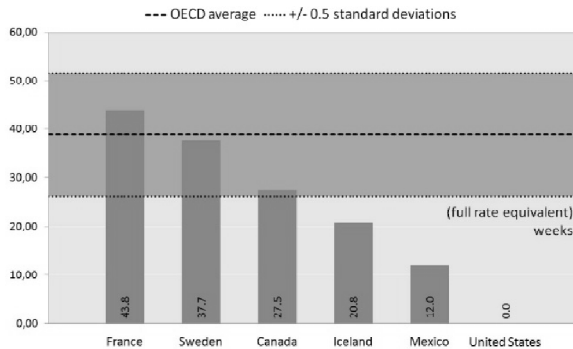
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As part of the family policy’s support to working parents, it is recommended that states provide subsidized childcare to at least 33% of children under the age of three, and to 90% for 3 to 6 years old children (IFP, 2008). The data indicate that childcare enrollment of 0–2 year olds stands at 31.4% for the U.S, 5.8% for Mexico, 55% for Iceland and 46.7%

for France (Figure 3) (OECD, 2014). The enrollments for 3–5 year olds stand at 55.7% for the U.S., 82.7% for Mexico, 99.9% for France and 95.9% for Iceland (Figure 4) (OECD, 2014).

FIGURE 2

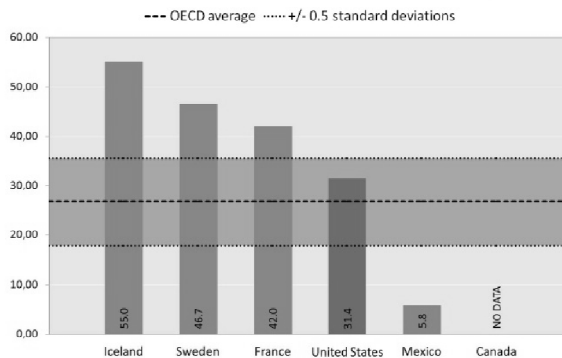
### Maternity and Parental Paid Leave (2007-08)



Source: OECD (2014), OECD Family Database, OECD, Paris.

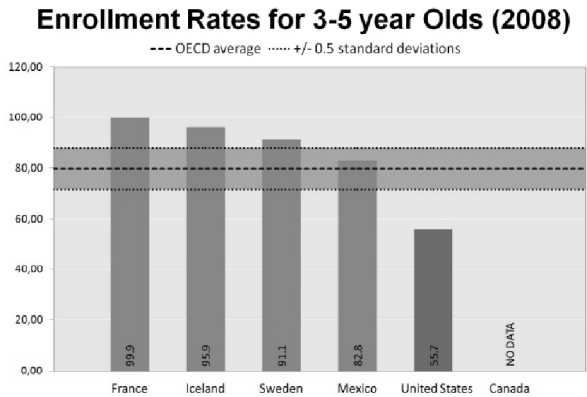
FIGURE 3

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



Source: OECD (2014), OECD Family Database, OECD, Paris.

FIGURE 4



Source: OECD (2014), OECD Family Database, OECD, Paris.

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**THEORETICAL PERSPECTIVES**

Different theoretical perspectives have been used in the field while analyzing the interactions of people’s responsibilities in the work and family spheres. Tremblay (2010) provides an overview of the theoretical perspectives on work–family relationships models, and reviews the work–family balance model, the work–family alternating model, and the non–interventionist model. The ‘work–family balance or cumulative model’ (since it is possible to cumulate work and family) allows for balancing the demand of work and family life, by allowing both women and men to remain employed while assuming their family responsibilities. This model provides a variety of public measures to support this balance in work and family life, such as accessible child care services, good work–time arrangements and paid and flexible parental leave, while also encouraging a more equal share of both work and family responsibilities for men and women (e.g., in Norway, Finland, Iceland, Quebec). In the ‘work–family alternating model,’ the goal is 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).

The ‘non–interventionist model’ is characterized by absence of generalized measures for adjusting work–family relationship, either due to limited resources (e.g., in southern Eu-

rope: Spain, Portugal), or due to prevalent ideology of non-intervention (e.g., UK, USA) (Tremblay, 2010). In this model, accommodating the work and family responsibilities is considered a private matter, which is left to be addressed by individuals and employers. In this case the collective bargain at the company level must compensate for the lack of public policy and this determines large differences in addressing the issue. Canada and the United States are associated with the non-interventionist model, although there are significant differences between them.

### **A. PARENTAL LEAVE IN THE UNITED STATES**

Parental leave in the United States has been provided by the Family and Medical Leave Act (FMLA) passed in 1993. FMLA allows working women and men in the United States to take 12 weeks unpaid job-protected leave to care for a new born and adopted child (parental leave) or for a serious medical condition that affects the employee or a family member. There is a requirement for the employee to work at least 52 weeks and a minimum of 1250 working hours a year in order to be eligible. Employers are required to provide the leave only if they have more than 50 employees within a 75 mile radius. Thus, 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 have taken initiatives in providing some paid leave for working parents (California, Washington, Minnesota, Montana, New Mexico) (Kammerman & Waldfogel, 2008).

Policy development needs to be closely followed by effective policy implementation. The existence of a policy is not sufficient to guarantee effective implementation. Implementation is impacted by a variety of factors, among others, awareness of beneficiaries about the policies, social perception about the policy, and practically (people being able to actually use it). For example, given that the leave is unpaid, many parents cannot afford to take 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 being able to use 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. 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). A study using the National Longitudinal Survey of Youth (1992–2002) which examined people awareness of FMLA indicated that union members' knowledge regarding their rights is better than that of nonunion members. Moreover, employees who are more likely to use the policy were more likely to be aware of them. Thus, women were more likely than men to be knowledgeable about the leave benefits. A study on employee awareness of family leave bene-

fits indicated that 91% of employed FMLA–eligible women report they have access to unpaid leave compared to 72% of men, and that work situations more than family situations affect the knowledge of family leave benefits (Baird, & Reynolds, 2004).

Social perception of parental leave is another important factor in its implementation, with positive perspectives being associated with higher chances of usage and negative perspective preventing eligible parents from taking it. Allen and Russell (1999) found that men and women who took parental leave were 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. The research on the perceptions of mothers and fathers who take temporary work leave indicates a shift towards more positive attitudes toward combining family and work life. For example, a study with undergraduate students indicated that parents who took parental leaves were rated more positively than stay-at-home parents and working parents who did not take the leave (Coleman, & Franluk, 2011). 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 and negative perceptions of those taking the leaves towards a positive view on balancing family and work roles might encourage working parents to take the leave.

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 (e.g., Nepomnyaschy, & Waldfogel, 2007).

## **B. PARENTAL LEAVE IN CANADA**

Parental leave policy in Canada has registered considerable progress. Since 2001 Canadian employed parents have 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).

In 2006 the Canadian province of Quebec introduced a new parental leave that is different from those found in the rest of Canada, providing better paid and more flexible benefits (Tremblay, & Genin, 2011). This is due to declining birth rates but also to the signifi-

cant involvement of women's advocacy organizations which supported a cumulative / work-family balance model. It includes, in addition to maternity leave, a paternity leave that is non-transferable to the mother, and a 1 year paid parental leave that can be shared between the parents, and that usually pays 55% or 75% of salary, depending on which option is chosen. The paternity leave consists in a three week (75% wage replacement) or 5 week leave (55% wage replacement) and it was introduced to strongly encourage father involvement in child care (Tremblay, & Genin, 2011).

The province of Quebec offers its own program since 2006, which is somewhat different than the rest because it extends coverage to those who are self-employed, it provides a higher earning replacement and it includes the option to claim higher benefits for a shorter leave (Evens, 2007).

In Quebec family policy is the result of a very strong involvement of different stakeholders such as union and women's groups. They asked the Quebec government to support day care systems and to provide better parental leave that was provided by the federal government (Tremblay, 2010).

While parental leave is an important right for employees, its implementation in different work environments is not always effective (Tremblay, & Genin, 2011). Research indicates that 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).

Recent research indicates that parents in Quebec are more likely than other Canadian parents to take the paid parental leave, especially the fathers; thus more than ¾ of newborns in Quebec had a father who took some leave compared to ¼ in the rest of Canada (Statistics Canada, 2012 cited by Rose & Humble, 2014).

### **C. PARENTAL LEAVE IN MEXICO**

Parental leave in Mexico is restricted to employees working in the formal sector (Gomes, 2014).

Thus the rights guaranteed by legislation to protect women during maternity period are restricted to women working formally, leaving out many of them who work in the domestic and informal sector, such as caregivers, farmers, or 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).

Under the Federal Labor Law, working mothers receive their full wages for 42 days (six weeks) before childbirth and 42 days (six weeks) after (Kamerman, 2000). The benefits include 100% wage replacement (75% from the social security system and 25% employer) (Pautassi, & Rico, 2011). Mothers are allowed to take two 30-minute breaks per day in order to breastfeed (Pautassi, & Rico, 2011). Since 2012 Mexico introduced a five days paid paternity leave (World Bank, 2012)

Another progress is the Gender Equity Model (MEG) which was implemented in Mexico in 2003 and 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).

#### **D. RECOMMENDATIONS**

- Increase the utilization of parental leave by providing payment benefits.
- Increase 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.
- Conduct 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.

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