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Mother's Day: More Than Candy And Flowers, Working Parents Need Paid Time-Off

More than half of all U.S. mothers were employed when they gave birth in the year 2000 and more than half returned to work within three months of giving birth. By the time their children reached their first birthday, 63 percent of mothers were back at work. Many of these mothers returned to work sooner than they would have liked because their right to a leave was brief or because of financial pressures.

Is this in the best interest of the child and the mother? Do we provide adequate opportunities for mothers to physically recover from childbirth and for parents to bond with their newborns? What infant care options are available to working parents? What opportunities are parents in other industrialized countries offered?

The United States first enacted a national parental leave policy in 1993. The Family and Medical Leave Act (FMLA) requires certain employers to allow eligible workers to take up to 12 weeks **unpaid, job-protected leave** each year. Parents can use the leave to care for a newborn, newly-adopted, or foster child. The law has made it possible for more parents to stay at home with the arrival of a newborn, but because the leave is unpaid, and too brief for many, there are many who continue to feel economic and job-risk pressures to return to work sooner than they are ready to.

In honor of mothers, young and old, who have struggled with work and family responsibilities, we dedicate this issue brief to you.

Happy Mother's Day!

Once again, the United States is an outlier compared to other countries, both industrialized and developing, when it comes to policies that support parents' ability to be at home to care for their babies. Around the world, statutory childbirth-related leaves, both paid and unpaid, average about a year and a half. Some 128 countries currently provide **paid and job-protected childbirth-related leave**. The average paid leave is for 16 weeks, which includes pre- and post-birth time off. In some countries leave is mandatory and in most cases, paid leave is a maternity leave. In nearly half the countries, the paid leave replaces the full wage (or the maximum covered by social insurance). This policy affords mothers, and sometimes fathers, time to spend with their children at a critical time and reduces parental economic anxieties and pressures.

Despite the growing pressures from both liberal and conservative camps in the United States to give pregnant working women and new mothers more time to prepare for and spend with their babies, parental leave policy in the United States stands in sharp contrast to the policies that exist around the world, especially among its peer countries. The well-being of young children, mothers, and fathers, too, are compromised by this gap in U.S. social policy.

What Do Parental Leave Policies Accomplish?

Rising rates of maternal employment both internationally and domestically, especially among mothers of infants, has pushed parental leave policies to the “front burner”. Concern over developmentally appropriate care options and skepticism about group care as an appropriate alternative for infants, have increased the attractiveness of parental leave as a policy option.

Cross-nationally, the goals of parental leave policies are:

1. to support family work and child rearing and to create an incentive for women to leave the labor force when children are very young; or
2. to facilitate women’s work outside the home and help reconcile work and family life by protecting and promoting the well-being of children while their parent(s) are in the labor force; or
3. to permit women and parents to choose between the above options to suit their own preferences.

Where Do Current Policies Come From?

Paid *maternity leaves* were first established as part of the invention and enactment of social insurance by Bismarck in the Germany of the 1880s. The first national social insurance law was enacted in 1883, providing for health insurance, paid sick leave, and paid maternity leaves. France followed soon after. In 1919 the International Labor Organization (ILO) adopted the first convention on maternity protection, stating that women working in industry and commerce should be entitled to a maternity leave of 12 weeks in two equal parts proceeding and following childbirth, with the part following birth being compulsory. It also declared that while on leave women should receive a cash benefit that would be at least two-thirds of prior earnings. Although the convention was revised and extended further in 1952, the dramatic expansion of parental leave policies occurred in the 1970s.

The unprecedented rise in labor force participation rates of women in many of the advanced industrialized countries during the late 1960s and throughout the 1970s, led to the provision of longer and more generous maternity leaves in the OECD countries and launched a movement toward parental leaves. There emerged a recognition, that continues to grow, that leaves constitute an important component of child care policies, in particular policies regarding infant care. The policies that were put into place in the 1970s were driven not only by the concern for the mother (as they had been in earlier policies), but for the

Defining the Terms

Maternity Leaves: Job-protected leaves from employment for employed women at the time they are due to give birth and following childbirth (or adoption in some countries). In some countries the pre-birth leave is compulsory as is a 6-10 week leave following birth. In most countries beneficiaries may combine pre- with post-birth leave.

Parental Leaves: Gender-neutral, job-protected leaves from employment that usually follow maternity leaves and permit either men or women to share the leave or choose which of them will use it. If there is no specified maternity leave, a portion of these leaves is usually reserved for women, to ensure a period of physical convalescence and recovery after childbirth. Recently, in some countries, some portion of the parental leave is reserved for fathers, on a “use it or lose it” basis, to create an incentive for fathers to play a more active parenting role. In some countries, there are supplementary leaves which are unpaid.

Paternity Leaves: Job-protected leaves from employment for fathers, for many of the same purposes as maternity and parental leaves, but especially for reasons of gender equity. They are usually much briefer than maternity leaves, function as supplements to such leaves, and are especially important when a second child is born and the first child requires care while mother and newborn may need help. Take-up is usually quite high for these leaves, in contrast to fathers’ use of parental leaves.

Child rearing leaves: Leaves from employment which developed in some countries as a supplement to maternity leaves or as a variation on parental leaves. Longer than maternity leaves, sometimes not limited to parents with a prior work attachment, and paid at a much lower level, the benefit is often described as a kind of “mother’s wage”. In some countries the cash benefit may be the equivalent of the government subsidy for out-of-home ECEC and used either to supplement family income while one parent is at home or to purchase private care.

Family leaves. Job- and benefit-protected leaves for working parents including maternity (birth or adoption), paternity, parental, child-rearing, care for an ill child, time to accompany a child to school for the first time, or to visit a child’s school, personal leaves. May be paid or unpaid. When paid, benefit is usually included in taxable income.

well-being of children as well. A European Union (EU) directive mandating a paid 14 week maternity leave was adopted as a health and safety measure in 1992 and a directive mandating a three-month parental leave was enacted in 1998. New parental leave policies were adopted in several EU countries as a result.

The ILO Convention on Maternity Protection (1999, No. 103, 1952) was also revised and adopted in June 2000, this time strengthening job protection and broadening the scope of coverage. The ILO recommends a 14 week, job-protected maternity leave (including 6 weeks prior to birth) and that leave should be extended “in the case of illness, complications or risk of complications arising out of pregnancy or childbirth.” The new world standard adopted by the ILO says that cash benefits should be publicly funded and “at a level that ensures that the woman can maintain herself and her child in proper conditions of health and with a suitable standard of living.”

Internationally, the trend in the 1980s and 1990s was to establish parental leave as a supplement to maternity leave, to extend leave policies to create a real alternative to out-of-home infant care, and to make leave policies a critical instrument of gender equity.

What Does The United States Offer Parents?

Efforts to implement family leave policies in the United States date back to at least 1942 when the Women’s Bureau of the U.S Department of Labor proposed that employed women have six weeks of prenatal leave and eight weeks after childbirth. Unlike its European counterparts, the United States did not enact or expand national family leave policies in the 1960s and 1970s when maternal employment was on the rise. Instead, family leave policy in the United States was initiated by state level actions. By 1987, nine states had unpaid maternity leave laws in place and by 1989, another 14 states added maternity (3 states) or parental (11 states) leave. Interest in enacting federal family leave legislation began to grow after this and in 1985, the first family leave bill was introduced in Congress. It wasn’t until 1993 that the Family and Medical Leave Act (FMLA) was passed and signed into law. The act requires employers with 50 or more employees to provide up to 12 weeks unpaid, job-protected leave each year to eligible employees to care for 1) a new-born, newly-adopted, or foster child, 2) a child, spouse, or parent with a serious health condition, or 3) a serious health condition of the employee, including maternity-related disability. Employees may be required to use accrued sick leave or vacation time to cover some or all of the leave. Employers may deny leave to an employee within the highest paid 10 percent of its work force (a “key” employee), if letting the worker take leave would create a problem for the firm.

FMLA provides important workplace protection for millions of American workers, but it still falls short of meeting the needs of American families. There remain 45 percent of workers who are not covered by the Act, and among those who are covered, many are financially unable to afford taking the unpaid leave to which they are entitled.

States continue to lead the fight for expansions in parental leave policies. Some job-protected maternity leave is provided in 20 states, and 10 states plus the District of Columbia have laws that give at least some male workers the right to job-protected paternity leave. The length of leave varies from four to 18 weeks and coverage is not universal either. The availability of paid leave in the states is not typical and information regarding this is not systematically collected. Most state policy initiatives focus on two potential funding vehicles to fund paid parental and family leave: expanding the Unemployment Insurance (UI) system to cover the costs of paid family leave also known as Baby UI; and, expanding state Temporary Disability Insurance (TDI) funds. While either of these expansions would considerably broaden parental leave coverage, each has its shortcomings. Extending state UI systems to allow states to compensate parents who take leave to care for newborns or newly adopted children, could be costly and would still leave many parents uncovered. Using state TDI to fund parental leave is a policy instrument already in place. There are mandatory TDI programs in five states (California, Hawaii, New Jersey, New York and Rhode Island) and Puerto Rico. Employer or employee contributions, or contributions from both, fund these plans. Employers in the nonparticipating 45 states may voluntarily participate in group TDI plans for their workers, with full or partial premium coverage, as a fringe benefit. Employees can also purchase individual

policies. It is a very inexpensive benefit. The main drawback of TDI programs is that they provide no guaranteed right to return to work.

High-quality group care for infants and toddlers can enrich children's early experience and provide critical support to their families. Neuroscientific research has highlighted the importance of early experiences, noting that early care and nurture have a decisive, long-lasting impact on how children develop, their ability to learn, and their capacity to regulate their own emotions. Studies show that the existing supply of infant care falls far short of the current need, and that about half of all existing home-based and center-based infant care programs can be rated as of poor quality, a substantial portion of which can be considered detrimental to young children's long-term health and social well-being.

What Do Other Countries Provide For Parents? (See Table 1)

Maternity Leave

Worldwide, the average paid leave is about 16 weeks, typically including six weeks before birth. In most of the countries providing a paid leave, it is a maternity leave. Some countries, in addition to paid leave, provide a lump sum "birth allowance", or nursing allowance, or in-kind childbirth "package" consisting of clothing, pharmaceutical items, etc.

The standard for the European Union (EU) or the OECD countries goes well beyond the ILO convention. Among 29 OECD countries, by and large the most advanced industrialized countries, the average childbirth-related leave (maternity, paternity, and parental leaves) including both paid and unpaid, is almost one and a half years, with additional time provided in some countries for leaves to take care of an ill child. The average duration of the paid leave is 36 weeks, typically including 14-16 weeks of paid maternity leave, supplemented by a paid parental or child rearing leave. In some cases both the pre-and post-birth "maternity" component are mandatory, while in others the two can be added together and used after childbirth.

In most countries, benefits are funded and paid through the same system as sickness benefits (statutory paid sick leave); and in 95 of the countries health and medical care as well as maternity leaves and benefits are provided. In almost all but the U.S., health care or health insurance is available to all women at the time of childbirth.

Paternity and Parental Leaves

Increasingly, especially among industrialized countries, leaves are being extended to fathers (paternity leave) or parents are being given the option of which parent can take a leave (parental leave). Four countries— Denmark, Italy, Norway, and Sweden — have recently extended their paid parental leaves and mandated that at least one month of this addition be a "use it or lose it" option for fathers. In Austria, three years of extended leave is offered, only if the father takes at least six months of the leave before the child turns three. Twenty-one countries provide a *supplementary parental leave*; in 13 it is paid, in seven until the baby is 1 ½ -3 years old. In all these countries, the policy covers adoption as well. The only difference in the policies is the adoption leave is limited to the post-childbirth period and counted either from the day the child arrives in the parents' home, or the day parents leave to collect the child, if from another country.

An emerging trend is for parental or "*child rearing*" leaves to be offered on a full or part-time basis over an extended period of time. This allows either parent to remain at home or work part-time with job-protection and benefits. Usually, it can be taken over an extended time period, if desired, until a child's third, fifth, or eighth year. Among the 29 industrialized countries, only 8 did not offer extended leave policies – these were: Australia, Ireland, Japan, South Korea, Mexico, Netherlands, Turkey and the United States. In Finland and Norway parental choice is supported by giving parents a cash benefit that can be used either to supplement income or to purchase care, at parents' option.

Table 2: National Take-up Rates of Parental Leave

Country	Percent take-up by women	Percent take-up by men
Austria	90%	1%
Denmark	93%	3%
Finland	99%	64% ²
Germany	95%	1%
Iceland	90-100%	80-90% ¹
Netherlands	40%	9%
Norway	94%	33%
Portugal ²	100%	N/A
Spain ²	100%	N/A
Sweden	90%	78%
United States ³	36 %	33 %

Sources: Wilkinson, H. et. al. (1997). *Time out: The costs and benefits of paid parental leave*. London: Demos; ¹Eironline, *Nordic seminar highlights equal opportunities from men's perspective* (<http://www.eiro.eurofound.ie> accessed 4/17/02); ²European Commission (1998). *Care in Europe: Joint Report of the "Gender and Employment" and the Gender and Law" Groups of Experts*. ³Waldfogel, J. (2001). *Family and medical leave: evidence from 2000 surveys*, *Monthly Labor Review*.

In countries for which take-up rates are available, parental leave among women tends to be over 90 percent (except for the Netherlands). In contrast, take-up rates among men are very low except in Iceland, Sweden and Norway.

Family Leaves

Family leaves to care for an ill child or family members are beginning to be established in Europe as well. An EU directive has mandated such leaves. Medical evidence and documentation must be provided regarding the child or family member's illness. Sweden also provides paid time off to visit a child's school (and Greece provides unpaid time off for this purpose.)

Benefit Levels

In 16 of the OECD countries, the *cash benefit* provided while on leave replaces between 70 percent of prior wages and the full wage (or the maximum covered under social insurance). In another seven countries the benefit replaces between 50 and 70 percent of the wage. Only in the UK and Iceland is the overall benefit less than this. Typically, when the parental (or child rearing) leave is separate from the maternity leave, the benefit level is lower than the maternity benefit. On the other hand, paternity benefits tend to be fully paid.

Coverage and Eligibility

Except for Germany's child rearing leave which is available to almost all parents, Sweden and Norway, where a small minimum benefit is provided to any woman covered under health insurance (and housewives can be covered), and Denmark, where unemployed mothers can be covered by a modest benefit for the extended parental leave, eligibility for these benefits is restricted to women who have been employed for at least some minimum time before childbirth. A woman's work history, and the length of time she has been employed, may affect the level of the benefit she receives, and the availability of the benefit creates either a work incentive or disincentive, depending on how it is designed.

Just about all these benefits — whether maternity, paternity, parental, or family leaves — are universal, that is they are available to all working women regardless of income. The only exceptions are New Zealand, which provides an income-tested maternity leave benefit to poor single mothers only, Germany, where the income ceiling for its child rearing supplementary benefit is such that about 80 percent of all new parents qualify, and France, where the benefit covering the supplementary parental leave is income-tested, but also at a generous level.

Moving the US Forward: Next Steps Research

Thus far, the research has focused largely on the consequences for women (the impact on maternal employment; mother's wages over time, etc), and to a lesser extent for employers. The literature suggests that there have been no negative consequences of the policies for women or for employers where short and intermediate term leaves are concerned; but there may be negative consequences of larger leave. Shorter and intermediate leaves can stimulate higher rates of female labor force participation and may help reconcile work and family life issues, while longer leaves may create work disincentives. Government revenues also rise as more women are employed and contribute through the payment of income taxes.

The research on consequences for children is much more limited but there do appear to have been some positive impacts. As a result, child well-being is increasingly being discussed as an important component of the policy, and warrants more attention by researchers. Positive consequences for maternal and child health have been documented in several countries. Parental leave policies have shown favorable and possibly cost-effective impacts on pediatric health. Leaves provide parents with additional time to invest in their young children. More generous leave policies appear to reduce infant and young child mortality. Still another positive impact is that the availability of these policies reduces the need for out-of-home infant and toddler care, since the demand for such services is linked to the duration (and benefit adequacy) of the leave policy.

Policy Implications

In sum, policies covering about a year of fully job-protected leave and targeted on parents with strong prior labor force attachment, with benefits covering close to full wage replacement, and with a guaranteed place for a child in good quality, affordable, out-of-home care appear to be achieving both support for "parental choice" and support for child well-being. The United States stands apart from this growing international trend.

In the United States, we give mixed messages about how to balance work and family life. We believe that it in the best interest of our children to be with their mothers when they are very young, and more recently, have come to see the benefits of fathers spending time with their young children. We also believe that it is the responsibility of both parents to contribute to the economic well being of their families. Yet we continue to hold back from putting policies in place that will allow working mothers, and fathers, to succeed in both the workplace and at home.

We need to reduce barriers facing parents, especially mothers, to being both good nurturers and economic providers. As we celebrate Mother's Day, isn't it time to enact policies that provide support for the women – and men – who want to be active parents as well as family breadwinners? Isn't it time we had a paid parental leave policy?

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Table 1 Maternity, Paternity, and Parental Leaves in the OECD Countries 1998-2002

Country	Duration of Child Birth Related Leave	Percentage of Wage Replaced	Country	Duration of Child Birth Related Leave	Percentage of Wage Replaced
Australia	1 year parental	Unpaid	Germany	14 weeks maternity including 6 weeks before birth + 3 years parental/child rearing leave full or part time up until child's 8 th birthday	100% Flat rate/Income-tested for 2 years; Unpaid for 3 rd year
Austria	16 weeks maternity; 8 weeks before/8 weeks after birth (mandated) Parental leave replaced by child care allowance for 30 months one parent or 36 months if child care is shared by both parents. Previous employment requirement eliminated.	100% Flat rate Higher rate for single- and low-income parents	Greece	17 weeks maternity; 3.5 months parental leave for each parent	50% Unpaid
Belgium	15 weeks maternity; 3 months parental for each parent 3 days paternity	75-80%; Low flat rate benefit	Hungary	24 weeks maternity Childrearing leave up to child's 3rd birthday	70% Flat rate/Income-tested
Canada	17 weeks maternity 35 weeks parental, either parent or shared within first year. Unpaid family leave	55% 55%	Iceland	3 months each for mother and father and one parent can take an additional 3 months for 9 months parental leave in all The 9-month leave may spread over the first 18 months after birth.	80%
Czech Republic	28 weeks maternity 37 weeks for multiple births or single mother Parental leave until child turns 3	69% Unpaid	Ireland	18 weeks maternity including up to 4 weeks before birth 14 weeks parental leave Maternity & parental leave cover adoption; 3 days paid family or emergency leave	70% Unpaid
Denmark	18 weeks maternity including 4 weeks prebirth 10 weeks parental 2 weeks paternity In addition, child care leave up to 52 weeks for either parent up to child's 8 th birthday.	90% 60% 100% 60%	Italy	5 months maternity including 1 month pre-birth; Additional 10 months parental leave, 20 months for multiple births Fathers applying for 3 month leave will be granted extra month. Unused parental leave can be taken until the child's 9 th birthday. Family (sick) leave-5 days/year for children 3-8 yrs old.	80% 30% Paid
Finland	18 weeks maternity 26 weeks parental Childrearing leave of absence until child is age 3, or can opt for home-care or child care allowances (under age 7). Guaranteed right to part-time work. Paternity- 18 days	65% Flat rate	Japan	14 weeks (6 pre- and 8 post- birth); Additional year up to child's first birthday	60% Unpaid
France		100% for maternity & paternity leaves; Flat rate, income-tested. 80%	Korea-South	8 weeks maternity	Unpaid
Luxembourg	16 weeks maternity	100%	Spain	16 weeks maternity; may transfer up to 10	100%

Country	Duration of Child Birth Related Leave	Percentage of Wage Replaced	Country	Duration of Child Birth Related Leave	Percentage of Wage Replaced
	Parental leave is 6 months full-time or 12 months part-time or pro-rated up to child's 5 th birthday 2 days/year family leave	Flat rate		weeks to father; 2 additional weeks maternity per child in multiple births; Additional parental leave until child is 3. 2 days paternity leave	Unpaid 100%
Mexico	12 weeks maternity (6 weeks pre-birth)	100%	Sweden	Full parental leave until child is 18 months, includes adoption +3 months +3 months Maternity leave may begin 60 days prior to expected delivery and 6 weeks after birth. Parental leave can be used full- or part-time until child's 8 th birthday. Additional 6 months for each child if multiple births.	80%
Netherlands	16 weeks maternity +6 months parental leave per parent 2 days paternity Family leave- 10 days/year + 2 days emergency leave	100% Unpaid Paid			Flat rate Unpaid
New Zealand	12 weeks paid parental leave (July 2002). May opt for parental tax credit in lieu of paid parental leave Extended parental leave.	Lower of 100% wages or flat-rate Unpaid	Switzerland	16 weeks maternity Right to part-time work until child is 8	Varies by Canton
Norway	52 weeks parental leave (or 42 weeks at 100%), including maternity Child rearing leave up to age 2 4 weeks paternity leave, "use it or lose it"	80% Flat rate	Turkey	12 weeks maternity	66 2/3%
Poland	16 weeks maternity leave for first child; 18 for subsequent births; 26 weeks for multiple births; Additional 24 month leave, 36 months for single parent. Additional 12 months for single parent	100% Flat rate	United Kingdom	18 weeks Ordinary Maternity Leave (up to 11 weeks prior birth), includes adoption Additional Maternity Leave of 11 weeks for women who've completed 1 year service with employer. 13 weeks parental leave up to child's 5 th birthday 18 weeks parental leave for disabled child up to child's 18 th birthday	6 weeks at 90% 12 weeks at flat rate varies by employment
Portugal	6 weeks mandated maternity leave post-birth Additional 6-24 months parental includes adoption 5 days paternity Up to 30 days/year family leave for children <10 and 15 days for >10 Special leave up to 4 years for sick child Right to part-time work.	100% Unpaid			United States

Sources: Kamerman, S.B. (2000). "Parental Leave Policies: An Essential Ingredient in Early Childhood Education and Care Policies," *Social Policy Report*, Ann Arbor, MI: Society for Research in Child Development; European Industrial Relations Observatory Online, <http://www.eiro.eurofound.ie>; Social Security Throughout the World, online, <http://www-ssw.issa.int>; Country Ministry sites.