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## CHAPTER 2

Gender, Employment, and  
Parenthood: The Consequences  
of Work–Family PoliciesJanet C. Gornick<sup>1</sup> and Ariane Hegewisch

Since the founding of the European Union (EU) in 1957, much has changed in relation to women, men, work, and family. Yet while women overall, particularly mothers, are much more likely to be in paid work, and men are somewhat more likely to perform unpaid family work, men are still the majority of paid workers and women still perform the lion's share of unpaid family work. In both the United States and Europe, having and raising children—and looking after relatives who are elderly or have disabilities—still takes time, and the majority of that work, whether it is paid or unpaid, is performed by women.

In the United States and throughout Europe, the Organisation for Economic Co-operation and Development (OECD 2012) reports that the great majority of part-time workers are women, as are the majority of workers who take time out of paid employment for caregiving purposes. In both settings, there is substantial evidence indicating that this unequal division of labor has negative effects on women's position in the labor market. In the United States and across Europe, relative to their male counterparts, women are less likely to be employed, spend fewer hours in paid work, earn less, are less likely to hold senior jobs, and are more likely to be in lower quality or contingent jobs, even if the extent of such inequality varies greatly between countries.

Yet while Europe, during the last fifty years, has seen the development of a substantial policy framework and infrastructure to support families' caregiving tasks, the same is not true in the United States. Europe, of course, continues to be diverse in many aspects of relevance to gender, work, and family—reflecting divergent conceptions of the role of the family, gender equality, and the state. This diversity provides a natural experiment that allows us to explore, within Europe

and between Europe and the United States, the consequences associated with national work–family reconciliation policy provisions.

This chapter will address lessons from Europe with respect to institutions that help workers to reconcile the competing demands of parenthood and employment. More specifically, we will focus on three core components of work–family reconciliation policy: (1) family and parental leave policies, (2) working–time regulations and workplace flexibility, and (3) publicly supported child care. In each case, we provide a brief outline of European Union regulations, and summarize policy variation, as of 2008–2010, across twelve European Union countries—Austria, Belgium, Denmark, Finland, France, Germany, Italy, Luxembourg, Netherlands, Spain, Sweden, and the United Kingdom—as well as in the United States. In the latter part of the chapter, we present outcomes for fertility, labor force participation, and poverty across this same group of countries.

In each of these three policy areas, the institutional landscape in Europe—at the supranational level and, in many cases, at the national level—is markedly different from what is operating in the United States. While the availability and generosity of US social policy provisions in some areas (e.g., old-age pensions, disability benefits, unemployment insurance) are fair-to-middling compared with typical European policies, public provisions that support work–family reconciliation are extremely meager in the United States, in comparative terms. Indeed, in the United States, at both the federal and state level, public expenditures on work–family policies (e.g., paid leave, child care) are way below European levels, and employment rights (e.g., maximum weekly work hours, minimum periods of annual leave) are substantially more limited. Welfare state researchers disagree on the causes and consequences of this policy contrast, but they rarely contest the observation that, with respect to work–family reconciliation policies, US provisions are remarkably limited. In short, in no other social policy arena is American exceptionalism this stark.

It is also crucial to emphasize that these work–family reconciliation policies are not always, or even often, motivated by concerns about gender equality. Policy priorities related to gender, work, and family are diverse, and they continually shift and change. Work–family policies have been justified and adopted for a diversity of reasons in addition to enhancing gender equality—for example, alleviating labor shortages, encouraging work sharing and reducing unemployment, sustaining social insurance revenues, enhancing work–life balance, reducing family poverty and social inequality, improving children’s educational outcomes, and raising birth rates. Nevertheless, these policies all affect both mothers’ and fathers’ engagement in paid work and their effects can linger throughout parents’ life course and spill over to nonparents as well.

A large and growing research literature has established that public work–family policies can strengthen gender equality in employment, but they can also deter it.

Concerns about possible negative consequences for women’s employment (or for gender equality) tend to focus on policies that encourage long periods of leave taking, part-time employment, or both, especially among women. Whether work–family policies are primarily advantageous or disadvantageous for gender equality is influenced by specific elements of policy design, including financing structures, coverage and eligibility rules, reimbursement levels, and benefit duration. As such, all of these public policies contribute to shaping gender equality in employment—and they do so in complex ways.

### **Policymaking in the European Union on Gender and Work–Family Reconciliation**

Equality between men and women in employment was a founding principle of the 1957 Treaty of Rome that founded the European Economic Community (the forerunner of today’s EU). Article 119 of the treaty prohibited unequal pay for equal work. Even though the motivation for addressing pay discrimination was the elimination of unfair competition for firms that were unable to benefit from women’s lower-wage labor, rather than a concern with gender inequality itself, Article 119 subsequently served as the basis for policies and approaches more directly aimed at gender equality. Article 119 (now Article 157 of the Treaty on the Functioning of the European Union [TFEU]) was developed into a more explicit framework for nondiscrimination in employment, both through binding European Court of Justice case law and through a number of directives, starting from the 1975 Equal Pay Directive (which, unlike the US Equal Pay Act of 1967, explicitly addresses not only equal pay but also “equal value/comparable worth”) and the 1976 Equal Treatment Directive (which, like Title VII of the 1964 Civil Rights Act, addresses discrimination in all other aspects of employment, from recruitment to promotion, training and dismissal) to the latest 2010 Parental Leave Directive (Council of Ministers 2010) which “lays down minimum requirements designed to facilitate the reconciliation of parental and professional responsibilities for working parents” (Clause II.1).

The European Court of Justice has variously confirmed the rights of women as primary caregivers to work reduced hours and has confirmed that employers must carry some of the costs of raising future generations and must provide some accommodation to women when they provide such tasks. The Part-Time Work Directive ensures that part-time workers are entitled to equal treatment (*vis-à-vis* their full-time counterparts), including *pro rata* pay and benefits. In all EU member states, as well as in the United States, women are at least twice as likely as men to work part time (see Table 2.2 below); thus, conditioning access to employment benefits, such as employer-supported pensions, health insurance, or paid time off, on full-time work disproportionately disadvantages

women. The European Court of Justice has found in various judgments that unequal or adverse treatment of part-time workers constitutes disparate impact (or indirect sex discrimination) because the majority of part-time workers are women working reduced time because of their responsibilities as primary care givers (see Heron 2005 for a more detailed description of the evolution of case law in this area).

In the United States, the exclusion of part-time workers from employer-provided health care and occupational pensions is a defining feature of the labor market. As recently as August 2011, a US federal judge rejected a case charging unequal treatment of pregnant women and women returning from maternity leave by quoting Jack Welsh, the CEO of General Electric as saying, "There's no such thing as work-life balance. There are work-life choices, and you make them, and they have consequences," and by going on to say "The law does not mandate 'work-life balance.' It does not require companies to ignore employees' work-family tradeoffs—and they are tradeoffs—when deciding about employee pay and promotions."<sup>2</sup> While the US Equal Employment Opportunity Commission has officially issued guidance in "family caregiver discrimination" in recognition that mothers and other caregivers might face disadvantages in access to employment and advancement at work, this does not oblige employers to accommodate caregiving needs; it just clarifies that stereotyping or unequal treatment of workers with caregiving needs is illegal.

Even though not directly framed as a gender discrimination issue, the EU's basic regulatory framework for working hours, rest periods, and paid leave arguably provides another important building block in facilitating work-life balance, and, for those with family responsibilities, work-family reconciliation. The importance of providing paid annual leave was recognized in the 1957 Treaty of Rome (Article 120, now Article 158 of the TFEU), and the scope of the European Commission to address issues of working time and health and safety of workers was likewise recognized. More recently, the 2002 EU Working Time Directive 2003/88/EC (which updated earlier directives from 2000 and 1993) has established the daily right to at least eleven hours of rest in a twenty-four-hour period, one day off in seven days, and a minimum of eight hours for night shifts, as well as a minimum of twenty days paid leave per year (prorated for people working less than full time). The directive also sets a maximum working week of forty-eight hours—albeit with considerable scope for exceeding this maximum in the short term and with exemptions for managerial staff. There are no equivalent federal regulations in the United States. The Fair Labor Standards Act of 1938 set the forty-hour week as a basic standard after which hourly paid workers must be paid at 150 percent of their basic hourly wage; but, unlike in the EU, there are no absolute limits on hours worked, no mandate to provide rest periods either during or between working days, and no right to paid days off.

During the last two decades, the place of work-family reconciliation in European policy debates has changed considerably. As we report in Table 2.1, fertility rates have fallen to record lows in some countries and in all EU countries are now below the replacement level of 2.1. As a result, there is a growing imbalance between young people entering the workforce, people of working age, and people of retirement age, and this imbalance is threatening the viability of social insurance systems.

Policymakers are concerned with the impact of the shrinking workforce on the growth prospects of the European economy and are seeking measures to increase labor supply. The lagging labor force participation rates of mothers in many European countries have become a target for intervention and have led to a growing recognition of barriers to women's employment. At the 2000 Lisbon European Summit, the council set targets: to increase the average employment rate from 61 to 70 percent by 2010 and to increase women's labor force participation rate from 51 to 60 percent over the same period.

If the goal of increasing labor force participation is to be met, child care is recognized as an important building block. Early childhood education and care have been on the EU policy agenda since the early 1970s when the first European Social Action Program was launched in 1974, calling for "giving immediate priority to the problems of providing facilities to enable women to reconcile family responsibilities with job aspirations."<sup>3</sup> Incidentally, at broadly the same time, the US Congress passed a law guaranteeing universal child care from age one onward, a law that was subsequently vetoed by President Richard Nixon. The European Commission also established a network of experts, funded various studies, and issued recommendations for states to develop child care services but did not mandate change. The commission continues to exhort member states to increase support for quality child care services. At the 2002 Barcelona Summit, EU member states agreed to a target rate of child care services for 33 percent of children ages zero to three and coverage for 90 percent of three- to five-year-olds by the end of the decade. Yet while the EU can set basic standards regarding the conditions of employment, its role in relation to education and social policy, such as child care, is limited mainly to encouraging good practice and developing joint policy and action agendas.

### **Diverse Practices: Work-Family Reconciliation Supports in Europe and the United States**

All EU member states are bound by the same minimum standards for maternity leave, job-protected parental leave, and paid annual leave—and they are bound by EU-wide rules on maximum weekly work hours. Yet, within this framework, provisions in Europe vary widely. In the field of social and employment policy,

the EU operates only by setting minimum standards, establishing networks of experts that disseminate good practices and providing funding through the European Social Fund, thus allowing widely different standards in different member countries.

### Maternity, Paternity, and Parental Leave

Maternity, paternity, and parental leave policies across the EU are far more generous than those in the United States, though these policies vary substantially among member states with regard to both their generosity and the degree to which they encourage both men and women (fathers and mothers) to take leave. The EU's role in leave policy is limited to setting some minimum standards that all member states must meet and well illustrates the principle of national social policy sovereignty within Europe. All EU member states are subject to Directive 92/85/EEC (Council of Ministers 1992) on the health and safety of pregnant workers, which guarantees fourteen weeks of job-protected maternity leave, payable at least at the rate of statutory sick pay in each country. Additionally, under the 2010 Parental Leave Directive 2010/19/EU (which amends an earlier 1996 directive), each parent (mothers and fathers, including adoptive parents) has an individual right to at least four months of job-protected leave while the child is young; the parental leave directive does not include a right to paid leave. On their return to work, workers may request a temporary change to their working hours, which must be considered in good faith by their employer.

In most European countries, parents are entitled to substantially longer leave than required by EU regulations. Leave provisions vary substantially both in terms of the overall duration of job-protected leave available and the level of wage replacement provided during leave, reflecting different traditions of social welfare and collective bargaining. All countries provide a basic period of paid leave that is reserved for the birth mother around the time of birth; paid paternity leave is less universal, although a number of countries provide rights to at least two weeks' leave (Moss 2011). Parental leave, that is, leave beyond the period around the time of birth, is available to both mothers and fathers. In some countries, leaves are granted to couples, who may share the entitlement however they wish, while in other countries rights are individualized and nontransferable; several countries combine these approaches, granting both a shared allocation and periods reserved for individual parents.

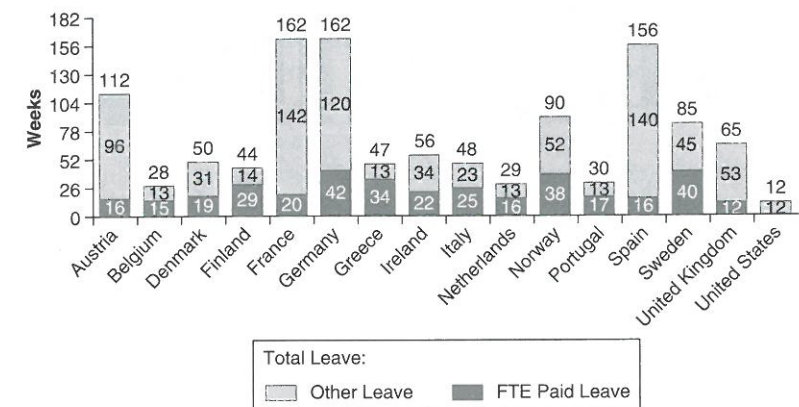
Recent scholarship on leave (most extensively, by Gornick and colleagues) has emphasized that leave policy designs vary across countries on two largely independent dimensions—their generosity and the extent to which the policy designs are gender egalitarian (see, e.g., Gornick and Meyers 2003; Ray, Gornick, and Schmitt 2010). The generosity of leave available to mothers across

eleven of our twelve European countries (Luxembourg was not included), and the United States, is reported in Figure 2.1 (Ray, Gornick, and Schmitt 2010). This figure reports the maximum entitlements for mothers who are part of a couple, assuming that they take all of the leave to which they are specifically entitled, plus all of the fathers' leave that can be transferred to them. All countries provide mothers with at least some job-protected leave, with three countries—France, Germany, and Spain—granting more than three years of leave at one end of the spectrum and with Netherlands and Belgium with job-protected leaves of up to seven months. The least generous country is the United States, at twelve weeks.

Across these countries, the generosity of *paid* leave for mothers, expressed in “full time equivalent” (FTE) units, that is, the wage replacement rate multiplied by the duration, is substantially less than with total leave. Only two of these countries provide mothers six months or more of paid leave (expressed in FTEs): Germany with forty-two weeks and Sweden with forty weeks. Only the United States refuses mothers paid time off after childbirth or adoption.

Just as important as the generosity of leave, is the extent to which the architecture—the underlying rules—enables and encourages gender-egalitarian leave taking. The expanding literature on the gendered consequences of leave designs shows that where couples are free to share leave, and where there is low or no wage replacement during leave, fathers are unlikely to take leave (Hegewisch and Gornick 2011). Ray, Gornick, and Schmitt (2010) assigned each country's leave policies a

FIGURE 2.1 Leave for Mothers: Unpaid, Paid, and Total Leave, in Weeks, 2009



Source: Ray, Gornick, and Schmitt 2010.

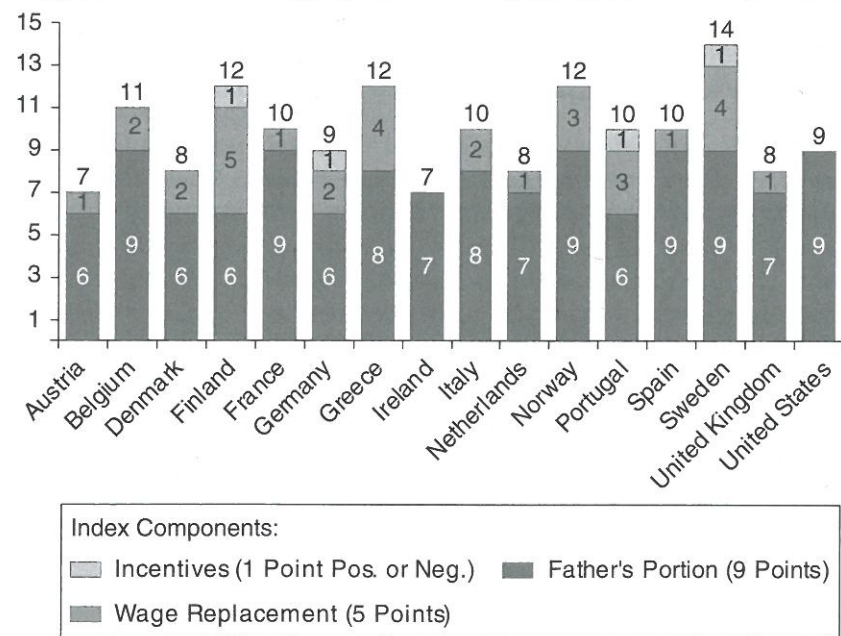
Note: Results for Luxembourg are not available.

score on their 15-point three-component Gender Equality Index (see Figure 2.2): the portion of couples' leave that is available to fathers (worth 9 points), the wage replacement rate during the fathers' leave (worth 5 points), and additional incentives or disincentives for fathers to take parental leave (worth one point, positive or negative). The higher the index score, the more the leave policy enables and encourages mothers and fathers to allocate leave symmetrically between them (see Ray, Gornick, and Schmitt 2010 for details).

These results indicate that among our study countries, Sweden earns the highest score on this index, with 14 points. Finland earns 12 points, and Belgium follows with 11 points. France, Italy, and Spain each receive 10 points. Germany and the United States are tied at 9 points, with Denmark, the Netherlands, and the United Kingdom each scoring 8 points. Austria has the lowest score, at 7 points.

The United States is alone among high-income countries, and one of only four countries in the world without a statutory right to paid job-protected maternity leave.<sup>4</sup> Federal law in the United States provides twelve weeks of unpaid job-protected leave for self-care or care of seriously ill relatives for workers in larger

FIGURE 2.2 Gender Equality Index, 2009



Source: Ray, Gornick, and Schmitt 2010.

Note: Results for Luxembourg are not available.

firms (with at least 50 employees), and this includes leave related to the care of infants. Men and women have identical entitlements to this unpaid leave; that explains the moderate score for the United States on the Gender Equality Index. On the other hand, the absence of wage replacement discourages male leave takers and depresses the US' score. In addition, in five US states, women on maternity leave are entitled to paid leave via temporary disability insurance (typically for six weeks); in two of these states, California and New Jersey, additional partial wage replacement is available to both new mothers and new fathers. However, the majority of US workers are left without any financial supports during leaves related to infant care; voluntarily provided employer provision has failed to bridge the gap left by the lack of public mandates (Hara and Hegewisch 2013), and that is especially true for lower-paid, less-skilled workers. Between 2006 and 2008, only slightly more than half of all women workers who worked during their pregnancy received any paid maternity leave (Laughlin 2011).

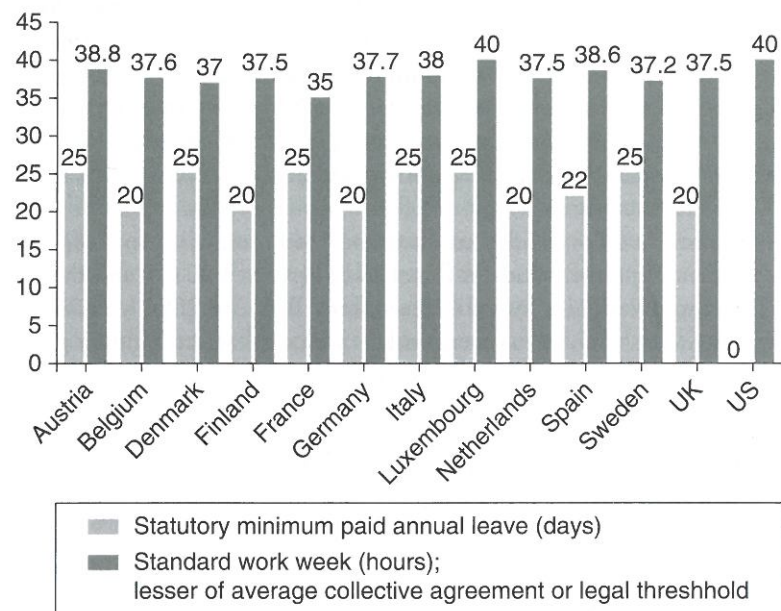
### Working Time Regulation and Workplace Flexibility

While there is less diversity regarding working hours, the influence of different national frameworks is nevertheless apparent. In Figure 2.3, we report two key indicators of working time regulation. The first is the minimum number of paid days off as set by national law, which in effect defines the length of the standard work year. The second is the length of the standard work week; this indicator captures the lesser of either (1) the legal weekly work hour maximum, or (2), where there is no legal maximum, the standard work week as set by the average collective agreement (see Gornick and Meyers 2003 for a detailed explanation of this measure).

All of these European countries grant workers between twenty (the EU minimum) and twenty-five days of paid annual leave, and some collective agreements lengthen those entitlements. In addition, these twelve European countries all standardize the length of the work week at between thirty-five and thirty-nine hours, with Luxembourg an exception at forty hours.

Ensuring minimum paid annual leave and limiting weekly work hours are important tools for parents who are navigating the reconciliation of work and family. Increasingly, in Europe, another dimension of working time regulation is being added—flexibility in work hours. Parents are being given greater control over the scheduling of hours, the number of hours worked, and the location of work (Hegewisch and Gornick 2009). In Sweden since the late 1970s, parents have had the right to reduce their working hours to 75 percent (with prorated compensation) until their children reach school age. No other country has adopted a similarly comprehensive approach. The 1997 EU Part-Time Work Directive 97/81/EC, while not mandating such approaches, called on member states to provide greater workplace flexibility and to find mechanisms to ensure

FIGURE 2.3 Statutory Paid Annual Leave (Days) and the Length of the Standard Work Week (Hours), 2010



Source: EIRO *Working time developments*, 2010. <http://www.eurofound.europa.eu/eiro/studies/tn1106010s/tn1106010s.htm#hd2>.

that such flexibility was to the mutual benefit of workers and employers. A number of countries, including the Netherlands, Germany, France, and the United Kingdom, adopted legislation in the early 2000s to give workers a right to request reduced hours, changed schedules, or home-based work. The 2010 Parental Leave Directive includes a right to request a temporary change in working hours for all parents returning from parental leave. In addition, nearly all European countries grant parents time off to care for their children (or themselves) during times of ill health—either routine sickness, serious illness, or both (Gornick and Meyers 2003).

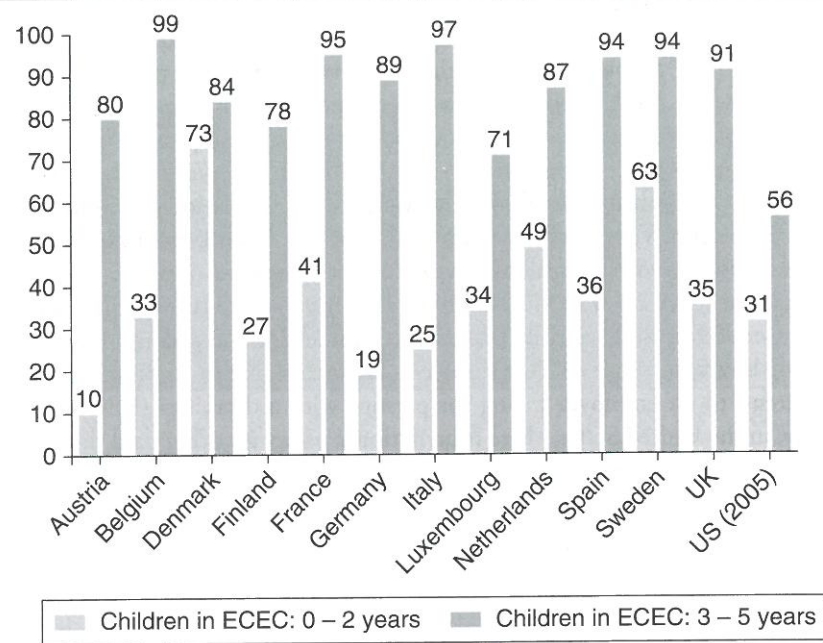
The working time regulation landscape in the United States is quite different. With one exception, the recently passed New York State Domestic Workers Bill of Rights (A1470B/S2311E), which entitles domestic care workers to three days paid leave per year, no laws, either national or state level, grant private-sector workers a minimum number of paid days off each year. The nationally established standard work week (secured by the Fair Labor Standards Act) remains set at forty hours per week, a level that has been unchanged for over seven decades. While

unions win some annual leave or shorter work weeks for their covered workers, the limited reach of unions in the United States means that the legal standards generally prevail. While many high-earning workers are granted annual vacation rights by their employers, low-paid workers often have no leave rights. Furthermore, in the United States, while the potential of workplace flexibility measures to provide win-win solutions for workers and employers has received much attention—including during a 2010 Summit on Workplace Flexibility convened at the White House<sup>5</sup>—no relevant federal legislation has been passed. In 2013, however, Vermont became the first state to give workers a right to request flexible working, with a legislative design directly drawing on the UK's flexible working statute of 2009 (2009 No. 595). The 1990 Americans with Disabilities Act (amended in 2008 and 2010) provides some right to accommodations in working hours for those who are disabled, but such rights to accommodation do not extend to an employee caring for persons with a disability (EEOC 2011.) Finally, in the United States, there is no national policy granting paid time off for sickness; however, the state of Connecticut and a few US cities (e.g., New York; Seattle; San Francisco; Washington, DC) have enacted laws granting workers some paid sick days.

### Early Childhood Education and Care

Provision of publicly supported child care for preschool-age children varies significantly across European countries, but generally the level of support available, particularly for three- and four-year-olds, greatly exceeds that available in the United States. Figure 2.4 reports the share of children who are enrolled in formal child care (daycare centers or preschool) for two age groups: children under age three and children ages three to five. Such provisions may be full day or part day and may be primarily for educational reasons or for providing care for children during parents' working hours. In all countries apart from Italy, parents are entitled by statute to at least some early childhood education and care. Five countries—Belgium, Denmark, Finland, France, and Sweden—provide a statutory right to a subsidized child care place following the end of job-protected parental leave, and such places are available on a full-time basis (Moss 2011). Other countries provide less seamless support, leaving parents to their own financial and organizational devices for a period of time between the end of leave, when they directly provide care for their child, and the beginning of publicly supported child care. Austria is the only country in which formal public provision begins only at age five; in the Netherlands, provision begins at age four, whereas elsewhere the starting point is age three (though provision is part-time only in Austria, Germany, the Netherlands, and the United Kingdom). Luxembourg goes further; early childhood education is compulsory at age four.

FIGURE 2.4 Enrollment of Children in Formal Early Childhood Education and Care, 2009



Source: OECD 2010: For children: the US, Early Childhood Program Participation Survey (2005); European countries, EU-SILC (2008) except Germany: administrative data; Nordic countries: NOSOSCO (2007-08); Moss 2011.

It is important to note that not all formal care is publicly supported, so formal care enrollment is not always a good proxy for countries' *public* support for child care. Data on the share of children enrolled in publicly supported care—generally, meaning that 75 percent or more of the cost is paid by the state—are difficult to obtain. The most recent available data, to our knowledge, pertain to the early 2000s. Based on these data, Gornick and Meyers (2003) report that, across Europe, especially in western and northern Europe, typically, at least two-thirds of three- to five-year-olds are in publicly supported settings, usually as part of preschool provisions. In most countries, substantially smaller percentages of “under threes” are in publicly supported care. In Denmark, as many as 74 percent of children ages one to three are in publicly supported care, but in most European countries, that share is 50 percent, and in some cases less than 20 percent.

In the United States, just more than half of children in this older age group (3–5 years old) are in publicly supported care, and the great majority of those children are five-year-olds in kindergarten programs. Although all US states offer

some public kindergarten programs, many do not make kindergarten mandatory, and often the only available slots are part-time. In the United States, child care supports for three- and four-year-olds are narrowly targeted on children from low-income families (mainly through the Head Start program); in 2010, only 4 percent of three- and four-year-olds with employed mothers were cared for through Head Start programs (US Census Bureau 2011, Table 1). Public supports for child care for children younger than age three are especially meager in the United States, limited almost exclusively to child care vouchers for children in the poorest families. These programs are rarely structured as entitlements and waiting lists are often long, further limiting the reach of public child care supports for the “under threes.”

### Policy Impacts: Preliminary Lessons from Europe

Even though European countries are governed by common minimum standards, overall, work-family policies are characterized by substantial diversity in the supports that are provided for working parents. Just as work-family supports vary, so do basic features of women's family and employment outcomes. A substantial empirical literature suggests that these are causally linked. Broadly, countries with better work-family supports have higher rates of both fertility and maternal employment, and vice versa. As we described above, the aging of European populations has focused policymakers' attention on raising both fertility rates and women's employment to ensure that the growth of European economies is not held back by labor shortages and to enhance the sustainability of social insurance systems.

### Birth Rates

While policies such as child care or paid parental leave are, of course, not the only factors influencing fertility, there is a clear correlation between these policies and fertility rates. Countries with the least extensive supports for working mothers tend to have the lowest fertility rates (see Table 2.1), and this relationship is confirmed by more thorough research on the relationship between work-family policies and fertility rates over time (McDonald 2000a, 2000b). Consider Austria, Germany, Italy, and Spain, where fertility rates have been below 1.5 children per woman for the last two or three decades, and they all fall below 1.5 as of 2009. All of these countries have meager supports for working mothers: Italy grants no statutory right to preschool child care; in Austria, such a right only begins at age five and, in Germany and Spain, there is no public provision prior to age three. With the exception of the United Kingdom, the European countries with the highest fertility rates all have extensive publicly supported child care and school hours

that correspond fairly well to parents' employment hours. As we discuss below, the United States presents an anomaly in this regard, combining meager supports for working mothers with a relatively high fertility rate, exceeding 2 births per woman.

TABLE 2.1 Fertility Rates in Selected European Countries and the US, 1980–2009

	1980	1990	2000	2009
Austria	1.65	1.46	1.36	1.39
Belgium	1.68	1.62	1.67	1.83
Denmark	1.55	1.67	1.77	1.84
Finland	1.63	1.78	1.73	1.86
France	1.95	1.78	1.87	1.99
Germany*	1.43	1.45	1.38	1.36
Italy	1.64	1.33	1.26	1.41
Luxembourg	1.50	1.76	1.76	1.59
Netherlands	1.60	1.62	1.72	1.79
Spain	2.20	1.23	1.23	1.40
Sweden	1.68	2.13	1.54	1.94
UK*	1.90	1.83	1.64	1.94
US*	1.80	2.04	2.01	2.01

Sources: For 2009, all countries: OECD Family Database at [http://www.oecd.org/document/4/0,3746,en\\_2649\\_37419\\_37836996\\_1\\_1\\_1\\_37419,00.html](http://www.oecd.org/document/4/0,3746,en_2649_37419_37836996_1_1_1_37419,00.html); other years Eurostat. 2010. Fertility Services. [http://epp.eurostat.ec.europa.eu/statistics\\_explained/index.php/Fertility\\_statistics](http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Fertility_statistics); with the following exceptions: Germany 1980 and 1990 (West Germany only) and US 1980, 1990, 2000: Max Planck Institute. 2011. Human Fertility Database; online at <http://www.humanfertility.org/cgi-bin/country.php?country=DEUTW&tab=si&t1=1&t2=2>.

Note: German fertility rates pre-2000 are for West Germany only.

Publicly supported child care is only one component of work-family supports, and we do not suggest it is the main factor in families' decisions about parenthood. But it is one indicator of attitudes to mothers and work. While child care in Denmark and Sweden is typically of high quality, including in its developmental components, it is designed with working parents in mind. Arguably, this is much less the case in Germany and Spain, where child development issues are more prominent (and, in any case, the statutory right covers only three hours per day). Maternity and paternity leave also seem to matter. Mothers in Germany, for example, are entitled to three years of job-protected leave per child, suggesting to employers and mothers alike that the place of a mother of young children is at

home rather than in the workplace. In the four countries with the lowest fertility rates, traditional perceptions of the superiority of maternal over other forms of child care are strong; many women, particularly women with higher levels of education, when faced with a choice between motherhood and career, choose not to have children.

Many labor market scholars and demographers have puzzled over the paradox of the US result. Why, with such weak public work-family supports, do US women maintain comparatively high fertility? Two demographic factors contribute; high birth rates among both teenagers and immigrants (combined with a relatively high level of immigration) push up aggregate birth rates. Some structural factors matter as well. Most notably, the United States has an exceptionally large low-wage labor market, much of it unregulated, which enables working parents to buy inexpensive child care and to outsource other household services, thus "replacing" the meager public supports. Finally, cultural factors may contribute. It may be that US women are raised to expect that combining parenting and employment will be difficult—work-life stress is said to be a *way of life* in the US—so the realization that reconciliation will be difficult may have less of a deterrent effect on childbearing behavior. This question demands further interdisciplinary study.

### Employment Outcomes

One basic indicator of women's economic achievement is their labor force participation rate, which captures the share of the population (in a given age group) that is either employed or actively seeking employment. Men's labor force participation rates are higher than women's in all of our study countries, but the magnitude of the gender gap varies from more than twenty percentage points in Italy to less than five percentage points in Finland (see Table 2.2).

Table 2.2 also reports employment rates for mothers with children below age 15.<sup>6</sup> Here, we see substantial variation across these European countries. Maternal employment rates vary from a low of 55 percent in Italy; to 60 to 69 percent in Luxembourg, Spain, and the United Kingdom, as well as in the United States; to 70 to 79 percent in Austria, Belgium, Finland, France, Germany, and the Netherlands; and up to 80 percent or higher in Denmark and Sweden.

As noted, mothers' employment rates are highest in Denmark and Sweden, and in both countries, differences between female and male labor force participation rates are comparatively low. At the other end of the spectrum are Italy and Spain. A substantial literature confirms the role of both leave policies and child care provisions in shoring up women's labor force participation rates. Studies confirm that leave policies affect women's individual employment decisions:



TABLE 2.2 Maternal Employment, Labor Force Participation, and Part-Time Work Rates, Selected European Countries and US, 2009–2010

	<i>Maternal employment rate—child under 15<sup>a</sup></i>	<i>Labor force participation (15–64) Women<sup>b</sup></i>	<i>Labor force participation (15–64) Men<sup>b</sup></i>	<i>Part-time work (&lt;30 hours): Women<sup>b</sup></i>	<i>Part-time work (&lt;30 hours): Men<sup>b</sup></i>
	2009*	2010	2010	2010	2010
Austria	75.4	69.3	80.9	33.0	7.0
Belgium	70.9	61.8	73.4	31.7	6.7
Denmark	84.0	76.1	82.7	25.9	13.6
Finland	77.2	72.5	76.7	16.0	9.2
France	73.6	66.1	74.9	22.3	5.7
Germany	70.8	70.8	82.4	37.9	7.9
Italy	55.2	51.1	73.3	31.1	6.3
Luxembourg	68.4	60.3	76.0	30.4	4.6
Netherlands	78.5	72.6	83.8	60.6	17.2
Spain	60.0	66.8	81.9	21.7	4.9
Sweden	80.3	76.7	82.2	18.8	9.7
United Kingdom	67.1	70.2	82.5	39.4	11.6
United States	66.7	68.4	79.6	18.4	8.8

Sources: (a) OECD 2011: Chart LMF1.2.A: 2009 (\*2010 for Denmark); (b) OECD 2012; Table A3.7.1.

Where mothers have job-protected leave, they are likely to make use of such leave, and will return to work at the end of such leave, whether leave is relatively short, as in Belgium, or long, as in Germany (see, for example, Hofferth and Curtin 2009). The introduction of 12 weeks of job-protected leave in the United States had an immediate impact on women's return to work after childbirth (Waldfogel 1998), with the strongest effect seen among women who have access to paid rather than unpaid leave.

Table 2.2 further illustrates the prevalence of part-time work (among the employed), using the thirty-hour cutoff adopted in the European Labor Force Surveys. (Note that that cutoff underestimates part-time work in countries such as the United States and Sweden, where a substantial number of women work between thirty and thirty-five hours per week). In any case, part-time employment has played an important role in enabling women to combine work with motherhood. Yet, while the majority of female part-time workers are "voluntary"—meaning that they have sought part-time employment—part-time work often requires women to

take jobs below their professional experience and qualifications. As we discussed earlier, policymakers in the EU are concerned with ensuring the supply of skilled workers to the European economies. The loss of a trained woman worker, who, for example, may give up a job as a nurse because she cannot find a part-time nursing job and instead takes a part-time job as a cashier or receptionist—represents a loss to the economy as a whole. This reasoning is behind the widespread introduction of rights to request part-time and other forms of flexible working (see Hegewisch and Gornick 2011).

Social values vary across countries regarding the most appropriate way to care for children. Nevertheless, a substantial research literature has established that whatever the national setting, where child care is available, of reasonable quality and affordable, women are more likely to be in employment and to hold better jobs. Where child care is expensive or of poor quality, women are more likely to hold lower-quality jobs and to have more interrupted working lives (Gornick and Hegewisch forthcoming). Yet the impact of child care on labor force participation rates is somewhat less direct than the impact of leave policies because child care may be offered for only a few hours per day, not designed with working parents in mind, and may be used by parents primarily for educational reasons, whether they are in work or not (Jaumotte 2003).

### Poverty

The link between the provision of work-family policies and family poverty rates is complex, as it is mediated by multiple features of the labor market as well as national tax and transfer policies. Nevertheless, we can at least draw this important conclusion: Generous and gender-egalitarian work-family policy is consistent with impressive poverty outcomes for families (see Table 2.3). Among our study countries, the lowest poverty rates are reported in Denmark, Finland, and Sweden, three Nordic countries with extensive work-family supports, and, with respect to leave, policy features that are structured to encourage men's engagement in child care at home.

At the other end of the spectrum is the United States, with the highest poverty rates among these countries: a remarkably high 47 percent among single-parent families and 15 percent in couple-headed families with children. The link between work-family supports and work attachment and advancement is well established in the United States, as are the negative consequences of not having such supports (Lee 2007). This is particularly so for single mothers. In addition, the lack of work-family supports has worrisome consequences for children's well-being. Quality, affordable child care provides long-term developmental benefits for children, as well as allowing their mothers to seek employment and, with this employment, increase their families' standard of living.

TABLE 2.3 Poverty Rates, Single-Parent Households, and Couple-Headed Households, 2008

	<i>Single-parent households</i>	<i>Couple-headed households with children</i>
Austria	30.8	5.6
Belgium	34.0	7.3
Denmark	9.9	2.5
Finland	14.2	3.8
France	22.6	4.9
Germany	26.5	4.5
Italy	31.5	13.2
Luxembourg	56.2	9.7
Netherlands	31.9	5.3
Spain	33.1	15.7
Sweden	17.9	3.8
United Kingdom	28.5	8.3
United States	46.9	15.0

Source: OECD Family Database CO2.2: *Child poverty* based on OECD Income distribution questionnaire, version October 2011.

Note: Poverty defined as income of 50 percent or less than national median; data for Denmark for 2007.

### **Unintended Consequences**

One of the most active areas of scholarship on work-family reconciliation policy, especially in cross-national perspective, concerns the possibility that some features of these policies may unintentionally harm women's employment outcomes. In this section, we take a brief look at the question of unintended negative consequences, highlighting some recent studies that address this question. Concerns about negative consequences are focused almost exclusively on policies that enable workers to spend time out of the workplace, with or without compensation, through various leave, reduced-hour, or part-time work schemes. Concerns are also largely focused on higher-skilled, higher-earning workers. Public provision of nonparental child care is widely understood to have the opposite effect: It encourages time spent at the workplace and thus unambiguously strengthens women's ties to employment. Unless employers are mandated to provide and finance child care for their own employees (as is the case in some lower-income countries), government support for child care rarely prompts concerns about harmful consequences on women's employment.

The possibility that work-family policies could worsen some women's labor market outcomes is the subject of a contentious and growing empirical literature

(see Pettit and Hook 2009). The core questions addressed in this literature are: Do public provisions that grant leaves and other measures, such as the right to part-time work, worsen the prospect that women will be employed in higher-skilled, higher-paid jobs or occupations? Do generous policies lower the glass ceiling or make it more impenetrable, in turn, worsening the gender wage gap, especially at the top?

Two distinct causal arguments have been suggested. The most commonly invoked argument focuses on the demand side; that is, employers' behavior is seen as the main culprit leading to negative consequences for gender equality at work. According to this view, where leaves and reduced-hour work options are widely available and generous, employers are more likely to discriminate against women in hiring and advancement—and pay (either directly or indirectly)—on the grounds that women more often than men take up the options to which they are entitled. Discriminatory employer behavior, it is argued, would be targeted mostly on higher-skilled workers, as their temporary or intermittent absences are perceived by employers to be the most difficult to manage and as incompatible with male norms of career commitment.

At the same time, some offer a supply-side argument, suggesting that the causal mechanism operates largely through workers' (not employers') decision making and behavior. From this vantage point, employed women who take up leave and part-time work options self-select into less-competitive, less-remunerative occupations and jobs, partly because they prefer to work side by side with others whose employment behavior resembles their own. Thus, the leave and part-time work options themselves may indirectly reduce women's focus on career advancement. The two arguments have in common the prediction that generous work-family policies will be associated with more job or occupational sex segregation and, in turn, a larger gender earnings gap, especially at the top of the earnings distribution.

The empirical literature on the question of harmful consequences of these policies is limited and has not clarified the extent to which the causal link (if there is one) originates on the demand side or on the supply side. In one often-cited study, Mandel and Semyonov (2005) argue that some forms of paid leave can have harmful consequences. They conclude that "although mother-friendly policies enable more women to become economically active, they exacerbate gender occupational inequality" (949). Specifically, they find that the generosity of publicly provided maternity leave worsens gender earnings inequality. Importantly, they find that two other measures of work-family policy generosity (publicly funded child care and public-sector employment) have no significant effect on the gender earnings gap. A few other studies indicate possible harmful effects of work-family supports on women's employment outcomes (e.g., Shalev 2008).

Other researchers, however, question these conclusions. Korpi, Ferrarini, and Englund (2009) argue that the existing research on the harmful consequences of public work-family provisions has, largely, reached erroneous conclusions. They claim that the existing literature has multiple weaknesses and conclude, “in paraphrasing Mark Twain . . . that rumors about the suicide of gender egalitarianism are greatly exaggerated” (26).

Although this literature continues to evolve—and more research is clearly needed—one conclusion seems clear: The length of leave periods matters. While several studies indicate that relatively short leaves increase women’s labor force participation, raise the probability that women return to paid work after birth or adoption, reduce the likelihood of changing employers, and lower the “mommy tax” associated with leave taking (see Hegewisch and Gornick 2011), longer leaves seem to be much more problematic. One study comparing trends in women’s labor force participation across OECD countries suggests that leave entitlements of more than nine months might have a comparatively negative impact (Jaumotte 2003). Labor force participation, of course, is not the only relevant outcome; other research suggests that lengthy leaves, as were long in place in Germany, also reinforce traditional gender roles in caregiving at home (Morgan and Zippel 2003).

## Conclusion

The approaches to work-family reconciliation in place in many European countries provide a wealth of potential lessons for policymakers. These lessons are far ranging; they relate, for example, to the design and financing of parental leave systems, the features of leave design that encourage men’s participation in family care, the design of working time regulations that are compatible with both employer and employee needs, and the value of coordination between the educational and care functions of child care services. At the same time, there are also potential lessons from the “soft” coordination of work-family policies in Europe and its emphasis on minimum standards, as well as gradual improvements through the sharing of best practices, knowledge networks, and financial supports for innovation. Lessons are as much about what not to do as they are about positive practices. Yet perhaps the largest lesson to be drawn is that the neglect of work-family reconciliation can lead to costly economic and social consequences, by reducing current and future workforces, exacerbating skill shortages, and increasing multiple facets of inequality.

### *Reflections: Prospects for Policy Development in the United States*

There is no question that, among wealthy countries, the United States lags dramatically in the provision of public work-family reconciliation supports; that

observation is uncontested. American work-family provisions, in comparative perspective, are vastly different from those in place in many European countries. Is this form of US exceptionalism inevitable and immutable? It is often argued that publicly provided work-family reconciliation policies, overall, are incompatible with the American context. Some analysts claim that the United States will never adopt European-style policies because they are incompatible with American political culture and preferences, especially the demand for small government and the sanctification of individual choice. Others stress that Americans would never be willing to pay for the costs of these services and supports, were they to be provided publicly. While a full assessment of these claims is outside the scope of this chapter, several points are worth making—and together, they suggest that the longer-term prospects for developing European-style work-family policy in the United States may be substantially greater than popular wisdom suggests (Gornick and Meyers 2003).

First, while Americans tend to be skeptical of large-scale public programs, a closer look at US history demonstrates that Americans generally react favorably to public programs that enable and encourage paid work. Many components of the work-family policy package have this feature. Public work supports are likely to become more politically attractive when the United States faces the labor shortages that ongoing demographic shifts will surely catalyze. In fact, employment rates among college-educated women in the United States are already lower than in several other major economies, suggesting that the lack of work-family supports may be pushing at least some workers out of the labor force, resulting in a loss of human capital to the American economy. Lost human capital will become less and less acceptable over time.

Second, a growing body of research demonstrates that European-style work-family programs provide ample room both for individual choices, and for variation across local communities and, conversely, that the absence of such programs actually constrains Americans’ choices and, in some cases, forces them to choose from among unattractive options. The US’ lack of paid maternity policy, for example, forces millions of American women to choose between returning to paid work before it is safe and feasible or taking a leave and absorbing an income loss at exactly the moment that their families have expanded. The scarcity of high-quality, reduced-hour jobs forces many parents (mostly women) to choose between high-quality employment with unwanted hours and lower-quality work with attractive hours. The absence of affordable child care makes choosing paid work infeasible for many mothers, effectively forcing them to opt for unpaid caregiving at home. Advocates of work-family policy expansion have made these arguments, with increasing vigor, in recent years.

Third, the costs of an expanded system of work-family policy would be substantial. But it is also true that the needed outlays might be less than expected. Even

the highest-providing countries in our study devote a surprisingly small share of their gross domestic product (GDP) to these programs. Sweden, with arguably the most extensive benefits, spends about 2.5 percent of its GDP on family leave and child care; Denmark and Finland each spend just under 2 percent of GDP; France, with somewhat less extensive leave benefits, spends about 1.3 percent. And, indeed, the United States spends much less than these amounts: approximately 0.2 percent of its GDP on publicly financed child care and a negligible amount on public paid-leave provisions (Gornick and Meyers 2004).

Might Americans be willing to pay more—perhaps up to 1.5 or 2 percent of GDP—on supports for families with young children? It is notable that Americans have historically contributed to another form of support for children and families: public education. Although the United States is a laggard in many areas of social welfare spending, it was one of the early leaders in extending public education to all children. The United States continues to make substantial investments in the public education of its children, spending about 3.4 percent of GDP on primary and secondary public education. Were the United States to increase its public investments in supports for younger children (either directly or via their parents) to levels proportionate to current expenditures on school-age children (a population that is roughly twice as large), that level of funding would suffice to support a generous system of work-family policies, along the lines of programs operating in my countries in Europe (Gornick and Meyers 2004).

In short then, the needed costs for supports for our younger children are not out of line with current American investments made on behalf of older children, via public primary and secondary education. Furthermore, several economists from across the political spectrum—most notably, Nobel laureate James Heckman—have recently joined the call for more public investments in younger children, arguing that waiting until age six (or even five) to invest in children may cause irreversible losses in many children's development and, in the long term, in their economic potential.

What does the future hold in the United States? It is impossible to predict. What we do know is that American work-family policy advocates have been popularizing these claims for years, arguing that these programs support paid work, that they allow choice and flexibility, and that the investments in children are likely to be recovered. And, there is some evidence that US policymakers are increasingly open to enacting work-family policies. In the period just prior to the onset of the current global financial crisis (that is, in 2006–2007), there was a marked groundswell of work-family legislative activity in the United States, at the national level and in many states, activity that was halted with the sharp economic downturn. It is reasonable to imagine that, when the US economy recovers and when deficit reduction seems within reach, the next public policy area to undergo expansion will be work-family reconciliation policy.

## Endnotes

1. Authorship is in alphabetical order; both authors contributed equally.
2. EEOC v. Bloomberg LLP, Opinion & Order: Case 1:07-cv-08383-LAP Document 202; p. 60-61 Filed 08/16/11.
3. Council Resolution of 21 January 1974 concerning a Social Action program, cited in Children in Scotland 2010:4.
4. The other three are Swaziland, Papua New Guinea, and Lesotho ([http://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms\\_124442.pdf](http://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms_124442.pdf)).
5. The White House: Forum on Workplace Flexibility, March 31, 2010, (<http://www.whitehouse.gov/the-press-office/president-and-first-lady-host-white-house-forum-workplace-flexibility>).
6. We expect the maternal employment rates (reported in column 1) to be higher than the female labor force participation rate (in column 2) because mothers of dependent children are younger than women overall. At the same time, controlling for age, employment rates are systematically lower than labor force participation rates, because they exclude those seeking employment. Thus, we do not compare the two indicators to each other.

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