

Leave policies in challenging times: what have we learned? What lies ahead?

Janet Gornick*

The Graduate Center, City University of New York, New York, NY, USA

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This article reflects on the studies included in this special issue on leave policies during challenging economic times. It highlights three major conclusions: (1) the regime-type framework remains illuminating; (2) the recent period is characterized by resilience of leave provisions; and (3) persistent gender disparities in leave-taking continue to shape policy debates. Three recommendations are made for future lines of work: (1) adopt a life course perspective; (2) reassess the growing emphasis on instrumental justifications for policy provision; and (3) continue to assess the possibility of unintended consequences, in particular the potential for harmful effects on women's employment outcomes.

Keywords: leave; policy; gender; welfare state regimes; life course

L'auteur analyse les études de ce numéro spécial sur les politiques de congé en période de conjoncture économique difficile. Elle met en évidence trois éléments importants: (1) le type de régime économique reste un facteur déterminant; (2) la période récente est caractérisée par la résilience des dispositions en matière de congés; et (3) les disparités persistantes entre les sexes par rapport à la prise de congé continuent d'alimenter les débats politiques. Elle fait également trois recommandations pour l'avenir: (1) prendre en compte le parcours de vie de l'individu; (2) insister sur l'importance croissante du caractère instrumental des politiques; et (3) continuer à guetter l'apparition de conséquences involontaires, en particulier d'éventuels effets néfastes sur la carrière professionnelle des femmes.

Mots-clés: conge; politique; sexe; état providence; parcours de vie

Introduction

In recent years, countless scholars from multiple countries and several disciplines have turned their attention to public policies that grant various forms of leave – including, especially, maternity, paternity, and parental leaves. Few components of social provision draw such sustained attention and analysis.

Leave policies have attracted large numbers of scholars and policy analysts for several reasons. Because leave provisions typically grant both job protection (rights) and wage replacement (benefits), they cross-cut two broad areas of public policy: labor market regulation and social welfare policy. Furthermore, the intended effects of leave provisions, which vary cross-nationally and temporally, are wide-ranging. Explicit goals

*Email: JGornick@gc.cuny.edu

include, variously, combating low fertility, improving infant health, equalizing child well-being, strengthening women's employment, reducing family poverty, decreasing employee turnover, and raising worker productivity; this diversity of potential impacts draws the attention of scholars across disciplines – from medicine, demography, and psychology, to economics, sociology, political science, and policy studies. In addition, because both paid work and family care are deeply gendered, leave policies have long captured the interest of feminist scholars. Finally, policies and policy features vary markedly across countries and over time, offering rich natural experiments that enable researchers to explore policy determinants, and policy consequences, both intended and unintended.

This collection of articles – an introduction, an overview and four regional case studies – effectively represents the substantial and complex body of international and interdisciplinary scholarship that has developed in recent decades. Adema and Anil's contribution assesses recent contextual and policy shifts across 34 Organisation for Economic Co-operation and Development countries; the subsequent chapters analyze provisions in five Nordic countries (Denmark, Finland, Iceland, Norway, and Sweden), four Visegrad countries (Czech Republic, Hungary, Poland, and Slovakia), four Southern European countries (Greece, Italy, Portugal, and Spain), and six Anglophone countries (Australia, Canada, Ireland, New Zealand, the United Kingdom, and the United States). The authors come from multiple disciplines and draw on diverse methods; key questions addressed concern, variously, policy drivers, policy outputs, and policy effects. They all treat gender as a central concern.

In this brief article, I highlight three major conclusions that emerge from the studies in this innovative issue of *Community, Work & Family* and then reflect on the future – that is, on what we might hope to see in future lines of research as well as policy innovation.

What are the main conclusions that emerge in this special issue?

The regime-type framework remains illuminating

One prominent finding to emerge from these articles is that – despite the well-known limits of the regime-type framework – regime types remain meaningful and useful vis-à-vis leave policy: elements of intra-regime homogeneity characterize both the pre- and postcrisis policy configurations.

As indicated by the table of contents, this special issue was organized around the premise that clustering countries a priori would be useful analytically. The clustering invoked here includes both geographic groupings – with Nordic European, Southern European, and Visegrad groupings intended (more or less) to proxy social democratic, familialistic, and post-Communist policy models – as well as the geographically diverse Anglophone grouping which is understood to correspond to a liberal policy configuration.

These articles demonstrate that this clustering remains useful. The authors' analyses underscore that – in general terms – these groupings (still) illuminate some crucial intra-regime homogeneities. Overall, the Nordic countries still provide comparatively generous entitlements with substantial incentives for fathers' leave-taking; the Visegrad and Southern countries can still be described as familialistic and maternalistic (but evolving) – with the former still characterized by longer leaves (a holdover from the Communist period) than the latter – while the Anglophone countries continue to provide more limited market-oriented provisions, and comparatively weak incentives for men's leave-taking.

At the same time, and not surprisingly, intra-regime diversity is also evident – vis-à-vis both precrisis levels and recent trends. In some cases, the crisis period highlighted divergence within regimes, as one or more countries shifted their policy designs away from those of their near neighbors. Notable cases stand out in each cluster. In the Nordic countries, Denmark has taken a somewhat different path – abolishing the fathers quota (in 2002) and not reinstating it in recent years, while, as noted by Gíslason et al., the other Nordic countries ‘have emphasised the father’s quota and in all four cases the countries have increased the number of weeks that are ear-marked for fathers’ (p. 171). In the Visegrad countries, Poland seems to be carving its own approach; as Michoń observes

The most striking difference [relative to the other Visegrad countries], though, is Poland. A long low-paid leave period and low levels of formal childcare point to familisation. But the recent reforms show the first tentative steps being taken towards incentivising women to return early to work and men to assume more responsibility for care. (p. 195)

In the Southern countries, as assessed by Escobedo and Wall, ‘Portugal has consolidated its differential trajectory with high rates of full-time dual earning, which are amongst the highest in Europe’; the authors add that ‘if earnings compensations were to become more generous, ... Portugal would easily shift to the typology of one year gender equality oriented leave’ (p. 232). Finally, in the Anglophone countries, the United States remains, according to Baird and O’Brien, ‘the outlier of the group’ (p. 201) with its exceptionalism still characterized by the absence of a national-level paid-leave policy.

These cases – countries that deviate from the general model of their country grouping – provide more than interesting anecdotes. They provide the groundwork for assessing policy drivers by shedding light on the factors that lead one country to ‘break out of the pack’. Likewise, they offer valuable opportunities to assess the consequences of leave policies, given that varied policy designs are observable against the backdrop of a relatively common context. The identification of uncommon cases, throughout this issue, opens rich opportunities for further research.

The recent period is characterized by resilience of leave provisions

A second clear finding that emerges from this collection is that the overall picture, with respect to leave policy, is one of resilience. Adema and Ali describe parental leave arrangements and childcare support systems during the recent economic downturn as ‘largely unscathed’ (p. 145). And, in some cases, as the regional case studies reveal, there is evidence of policy expansion. That expansion has taken several forms, including – most often – lengthening leave entitlements and strengthening provisions for fathers.

While this result may surprise some – there is a strong chorus (especially in the United States) that claims to find a continuous and comprehensive pattern of social policy retrenchment across high-income countries – serious scholars of work–family reconciliation policies know that these provisions have escaped rollbacks during earlier economic downturns. Kamerman and Kahn (1999) studied policy shifts during the tumultuous 1990s and reported: ‘In the 1990s, when many countries actually set out to curtail social expenditures, and targeted pension policies especially, child and family benefits appear to have been protected in most countries’ (p. 24). Gornick and Meyers (2001) similarly assessed policy shifts during the 1980s and 1990s and concluded that

scholarly research from Europe suggests that while retrenchment is evident in some areas of social provision, investments in provisions for families—in both the traditional cash benefits and the newer leave schemes — have actually grown markedly in the last two decades. (p. 32)

As the articles in this issue indicate, leave policy provisions have again tended to ‘escape the hatchet’ (relative to other social programs) during the most recent economic downturns that affected most of the countries assessed in these articles. Why is that?

At least three factors driving the protection of leave provisions emerge from these studies. The first is that many analysts influential in policy circles, at the national and supranational levels, have made the case that public policies establishing leave rights and benefits constitute wise and necessary public investments. Baird and O’Brien highlight this in their study of the Anglophone countries. They explain that, in some liberal countries, the somewhat paradoxical pattern of policy expansion has come about in part because ‘governments use the business case to justify expenditure on parental leave in order to improve productivity’ (p. 213).

A second (partly driven by the first) is that support for leaves has come, in some cases, from both left- and right-leaning parties. Gíslason et al., for example, point to the breadth of political support in some Nordic countries, noting ‘that Iceland and Sweden do not fit the theoretical model [of political support], since the idea of the father’s quota has in both cases been promoted and accepted by governments right of centre’ (p. 178).

A third factor is the growing embrace, in many countries, of gender equality, with equal opportunities to participate and succeed in paid work seen as key components. Michoń emphasizes this as a causal factor in all four Visegrad countries, where:

there is strong support for women’s participation in the labour market, and attitudes have shown some change in favour of gender equality since the beginning of the 1990s. There is widespread support for the view that having a job is the best way for a woman to be independent and that investing in human capital is the best strategy to cope with the difficulties women experience in the labour market. (p. 193).

Welfare state scholars have, in recent decades, contributed theoretical and empirical accounts of social policy resilience in the face of economic downturns and rightward political shifts. The case of leave policy has much to contribute to this still developing area of social policy scholarship.

Persistent gender disparities in leave-taking continue to shape policy debates

A third strong finding is that – across these country clusters – policy-makers continue to grapple with designs aimed at reducing gender disparities in leave-taking. In practice, that means establishing or extending men’s individual entitlements and also strengthening incentives for men to take up the leave to which they are entitled. Attention to fathers is not new, of course; many policy reforms aimed at shared caring (e.g., ‘daddy days’) date back more than two decades. Nevertheless, questions about how to effectively and fairly bolster men’s use of leave continue to occupy policy-makers and policy scholars. The articles gathered here indicate that concerns about gender are central in all these country clusters, although actual policy provisions and developments vary widely.

In the Nordic countries, the historical emphasis on gender egalitarian policy design is facing some pressure from growing demands for ‘free choice’, which translate into

allowing couples to decide how to divide family leave entitlements, without parent-specific quotas or strong incentives for shared caring. Still, gender equality survives as a core goal; the authors observe that 'striving for gender equality is a strong political motivation in all the Nordic countries and there are no indications of a reversal there' (p. 178).

In the Visegrad countries, in contrast, entitlements and incentives for father's leave-taking have generally been weak. Yet, recent policy reforms may be inching toward diminishing gender disparities in care – with all four countries adopting parental leave and two countries, Hungary and Poland, implementing paternity leave. In the Southern countries, more so than in the Visegrad cluster, we see increasing attention paid to gender egalitarian policy architecture; the authors observe: 'The four countries have been moving in the direction of longer paid leave and the promotion of paternal leave, allowing for family diversity and new gender equality incentives' (p. 218).

Finally, in the Anglophone countries, the authors conclude:

Women and mothers have been and remain the focus of work-family policy development. It is only in more recent times that fathers have received more attention ... with even conservative and market-oriented governments attempting to fit fathers into leave policies. We suggest that attention to fathers is emerging as the big 21st century challenge, but in all of the Anglophone countries this is a policy that has not yet matured. (p. 213)

As the studies in this special issue demonstrate, the intertwined processes of designing, implementing, evaluating, and refining leave policies continue across affluent countries. In many countries, the most widely debated questions concern how to design leave policies that are in line with evolving views and preferences about gender divisions of labor, in both paid and unpaid work. This process is, by no means, finished.

What should researchers and policy analysts do next?

Adopt a life course perspective

In their introduction to this issue, Deven and Moss suggest that those interested in leave policy – researchers, policy analysts, and political actors – would do well to shift more toward a life course perspective. That call should be heeded.

Many scholars and policy analysts concerned with leave policies acknowledge that workers' needs to balance employment with child caregiving endure well beyond their children's earliest years and surely after the end of public- or employer-provided periods of leave. And, of course, it is widely understood that working parents are not alone in needing supports for caregiving, nor are children unique in needing to receive care. Persons of all ages – from older children to the elderly, both in and out of the labor force – may be called upon to care for family members, friends, neighbors, or coworkers. Likewise, persons throughout the life cycle may need care and that care can take widely varying forms.

Yet, even brief forays into the academic and policy literatures on leave, or (in most countries) into the world of policy advocacy and analysis, reveal the persistence of what are often referred to as policy silos – meaning that scholars and policy analysts tend to be segregated into communities with highly specialized concerns. In practice, that means that leave analysts frequently neglect employment conditions and workplace regulations not directly related to leave rights and benefits during children's earliest years, and

specialists in policy supports for child caregiving often neglect to account for others who need care, most notably persons with disabilities and the frail elderly.

A recent collection of critical essays assessing 'utopian' family leave designs directly addressed the problem of focusing squarely and uniquely on provisions for the care of young children (see Gornick and Meyers 2009). Several authors in that 2009 collection called for the adoption of comprehensive and integrated systems of care provision – ones that account for the needs and preferences of both caregivers and care recipients throughout their life cycles. Several contributors to that volume argued, persuasively, that moral and practical concerns demand that comprehensive policy packages extend supports for diverse forms of caregiving. Others argued that social protections that cross generational (as well as gender) lines have the potential to draw deeper and more stable political support than those designed more narrowly.

Crafting a broader vision for leave policy, and for care provision more generally, will require sustained attention, innovative policy analyses, and new lines of scholarship, both theoretical and empirical.

Reassess the growing emphasis on instrumental justifications

This special issue of *Community, Work & Family* highlighted several national cases in which policy actors, in recent years, have emphasized instrumental justifications for public provision of leave rights and benefits. By instrumental, we refer to arguments claiming that leave policies are valuable mainly because they lead to consequences – often economic consequences – that are widely understood to be advantageous. These instrumental arguments take various forms, typically casting public leave expenditures as social investments, with returns seen in increased labor supply, worker productivity, and/or human capital enhancement. We should reassess the value of this class of arguments.

The pull toward these instrumental, investment-oriented, arguments is entirely understandable. Especially during seasons of budget cutting and fiscal consolidation and/or in politically conservative settings, these justifications offer rationales for public spending that are logical and 'respectable'. Most importantly, they attract lines of support that 'softer' arguments – e.g., that leave policies improve families' quality of life, reduce gender disparities, or shore up social rights – do not.

Many of these instrumental arguments are both accurate and effective, but relying on them exclusively carries risks. One problem is that policy evaluations may not demonstrate that the desired effects are universal or that they are of sufficient magnitude, placing proposed and existing policy provisions at risk of cuts or even repeal – given that alternative justifications are not in play. A second problem is that the investment approach becomes increasingly problematic when we call for broader leave entitlements that include provisions for the care of people with severe disabilities or the very old. While we can argue that such leaves protect the human capital (and so on) of the caregiver, it is more difficult than with child caregiving to make the case for investing in the capacities of the care recipient. Instrumental arguments can push us perilously close to quantifying and ranking the relative value of human lives.

Some who support public provisions for leave – including leaves for childrearing and for other reasons as well – believe that leave policies should be granted because providing them 'is the right thing to do', at least in part because they raise the quality of life for many workers and their families and because they help to ensure equal opportunities for women and for lower earning workers. Some argue that all workers and their families

have fundamental rights to care and to be cared for. We would do well to retain and strengthen justifications for policy provision that maintain that leaves are valuable and worth public expenditure – regardless of predicted future payoffs, economic or otherwise.

Continue to assess the possibility of 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 leave policies may have unintended harmful effects on women’s employment outcomes (see Hegewisch and Gornick 2011 for a review). The core questions addressed in this literature are: Do these public provisions lessen the likelihood that women will be employed in higher skilled, higher paid jobs or occupations? Do generous policies lower the glass ceiling and/or make it more impenetrable – in turn, worsening the gender wage gap? These questions demand further attention.

Two distinct causal arguments have been offered. A supply-side argument posits that employed women who take up leave options self-select into less competitive, less remunerative jobs and occupations, partly because they prefer to work side-by-side with others whose employment behavior resembles their own. Thus, the leave options themselves, and women’s disproportionate use of them, may reduce women’s focus on career advancement. A second argument, focused on the demand side, concludes that, where leaves (and other reduced-hour work options) are widely available and generous, employers are more likely to statistically discriminate against women in hiring, 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 behavior, it is argued, would be targeted mostly on higher skilled workers, as their temporary and/or intermittent absences are perceived by employers to be the most difficult to manage. The two arguments have in common the prediction that the availability of generous leaves 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 supply side or the demand side. Although this literature continues to evolve – and more research is clearly needed – one conclusion seems clear: leave duration 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, longer leaves (say, nine months or longer) seem to be problematic.

Leave scholars, analysts, and advocates must continue to carry out (or support) research that tackles questions about unintended consequences. The research that exists suggests that problematic features are not inherent in all leave designs – not at all – but are instead linked to specific policy features. The possibility of ‘damaging’ features must be front and center as policy designs continue to be both implemented and studied.

Notes on contributor

Janet Gornick earned her Ph.D. in Political Economy and Government from Harvard University in 1994. She is Professor of Political Science and Sociology at the Graduate Center of the City University of New York (CUNY). Since 2006, she has also served as Director of LIS (formerly, the

Luxembourg Income Study), a cross-national data archive and research center located in Luxembourg. Most of her research is comparative, across the industrialized countries, and concerns social welfare policies and their impact on family well-being, gender equality, and income inequality.

She is co-author or co-editor of three books: *Families That Work: Policies for Reconciling Parenthood and Employment* (Russell Sage Foundation 2003); *Gender Equality: Transforming Family Divisions of Labor* (Verso Press 2009); and *Income Inequality: Economic Disparities and the Middle Class in Affluent Countries* (Stanford University Press 2013). She is currently working on a book about how and why inequality varies across the American states.

She has published articles on gender, employment, and social policy in several journals, including *American Sociological Review*; *Annual Review of Sociology*; *Social Forces*; *Socio-Economic Review*; *Journal of European Social Policy*; *European Sociological Review*; *Social Science Quarterly*; *Monthly Labor Review*; and *Feminist Economics*. In 2006–2007, she served as Guest Editor for “Work-Family Reconciliation Policies in High-Employment Economies: Policy Designs and their Consequences,” a special double issue of the *Journal of Comparative Policy Analysis: Research and Practice*. She has also presented her work in popular venues, including *The American Prospect*; *Dissent*; and *Challenge Magazine*.

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She serves on several advisory boards, including *A Better Balance: The Work and Family Legal Center*; *Journal of European Social Policy*; *IPUMS-International*; *Statistics Canada’s Advisory Committee on Labour and Income Statistics*; the *German Socio-Economic Panel (GSOEP)*; and the *Center for Economic and Policy Research (CEPR)*.

References

- Gornick, J. C., & Meyers, M. K. (2001). Lesson-drawing in family policy: Media reports and empirical evidence about European developments. *Journal of Comparative Policy Analysis: Research and Practice*, 3(1), 31–57.
- Gornick, J. C., & Meyers, M. K., (Eds.). (2009). *Gender equality: Transforming family divisions of labor* (Volume VI, *Real Utopias project*, with a preface by Erik Olin Wright). London: Verso Books.
- Hegewisch, A., & Gornick, J. C. (2011). The impact of work-family policies on women’s employment: A review of research from OECD countries. *Community, Work & Family*, 14(2), 119–138. doi:10.1080/13668803.2011.571395
- Kammerman, S., & Kahn, A. (1999). *Child and family policy in an era of social policy retrenchment and restructuring*. Paper presented at the Luxembourg Income Study Conference on Child Well-Being in Rich and Transition Countries, Luxembourg, 30 September to 2 October, 1999.