

Parental Leave Implications on Organizational, Individual, and Family Structures

By

Kimoi A. Felmine

Advisor: Professor Kristen Foltz

A PROFESSIONAL PROJECT PRESENTED TO
THE UNIVERSITY OF TAMPA
IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF MASTER
OF ARTS IN PROFESSIONAL COMMUNICATION

[Summer 2021]

Table of Contents

Abstract	3
Chapter 1: Introduction	4
Chapter 2: Literature Review	6
Chapter 3: Methodology	20
Chapter 4: Results	21
Chapter 5: Discussion	23
Chapter 6: Conclusion	26
Presentation YouTube Link	32

Abstract

This research study investigated the implications of parental leave on individuals socially, physically, and mentally on their family and organizational work structure. The main hypothesis of this investigation was that there are negative implications physically, socially, and mentally on organizational work and family structure. The present study recruited 49 participants from a Facebook group to fill out a 20 to 25-minute survey consisting of both multiple choice and open-ended questions. Majority of participants lived in places where there was no state mandated parental leave policy in place leaving them to rely on the Family and Medical Leave Act of 1993 (FMLA). Participants reported not understanding their parental leave policy and felt current parental leave policies are bias exclusive, and unrealistic. Participants felt the lack of support attributing to the negative implications of their parental leave policy came from colleagues worrying about their increased workload and the inability to be financially stable within their given time off. This study highlighted the flaws in current parental leave policies and how to create better parental leave policies to serve the needs and wants of parents.

Keywords: parental leave, policy, maternity, paternity, workload, organizational, family

Introduction

Over the years, many countries or states created parental leave policies as a vital social innovation in order to promote work-life balance among employees. Earlier studies on work-family conflict show an employee's participation in work negatively affects their participation in family (Tremblay & Genin, 2011). In this regard, conflict emerges when employees view their family roles as being at odds with their work obligations. This conflict is common among parents with young children (Tremblay & Genin, 2011). Against this backdrop, governments across the globe formed family-friendly policies to address the schedules and responsibilities of workers. While parental leave is paid in many countries, the United States lack paid parental leave. A report by International Labor Organization (ILO) on Maternity Leave identified the United States and Papua New Guinea as the only two countries that offer statutory maternity leave without accompanying cash benefits (ILO, 2014). In the United States, individual employers may exercise discretion on whether to introduce family-friendly policies or not (Tremblay & Genin, 2011).

Moreover, The Family and Medical Leave Act of 1993 (FMLA) is the existing federal legislation that guides parental leave in the U.S. while the National Defense Authorization Act of 2021 offers Title 5 and Title 38 federal employees paid leave when it takes effect in October of 2021. In Florida, parents are entitled to FMLA due to the absence of a state-based parental leave policy; however, the passage of Florida Family Leave Act by the state legislature could pioneer Florida's parental leave legislation.

The goal of this study is to investigate the implications of parental leave policies to understand how to make changes to current parental leave policies. This study examines the implications parental leave has on an organization's work culture and family structure

PARENTAL LEAVE

physically, socially, and mentally on individuals of all backgrounds. The research hypothesizes there are negative implications physically, socially, and mentally on organizational work and family structure calling for a change in universal parental leave policies. Data collection in the study is conducted through the form of a survey in which the results can yield results as to how to combat current parental leave policies in The United States specifically in states like Florida where the 1993 Family and Medical Leave Act (FMLA) is the only state mandated policy regarding parental leave. The implications of this research can help examine how current parental leave policies impact individuals as workers and parents and how to change that. It can also give a deeper analysis into why these implications may occur.

Employees are entitled to parental leave when a child is born or adopted. Under parental leave employees are entitled to the following: paternity and partner leave, maternity leave, special maternity leave, adoption leave, a safe job, and no safe job leave (Family and Medical Leave Act of 1993, 2006). Following parental leave completion, employee parents have a right to return to their old jobs. These rights are enshrined in the 1993 Family and Medical Leave Act (FMLA), where the United States parents are federally protected and entitled to leave following the birth or adoption of a child. The United States of America (US) remains one of the developed countries that does not have a mandated paid parental leave policy. Therefore, this policy is left at the discretion of the private enterprises willing to offer such incentives to enhance the retention and attraction of highly talented individuals. Some states have also not enacted such laws including the state of Florida. In the recent past, there has been growing support, especially by the public to change the maternity leave policy to allow new parents to take time off to take care of the young ones up to a certain period without changing the benefits such as pay. In Florida, such a law is still in progress and yet to be approved. Despite the lack of the law, most

PARENTAL LEAVE

of the mothers take a combination of other policies such as the Family Leave Act where the time one spends out of work remains unpaid.

This paper will highlight previous research on parental leave policies in an in depth literature review, followed by the research study and an in depth analysis. In this respect, the following literature review entails a focus on government policy reviews, followed by groups of individuals impacted by parental leave, and lastly theories applicable to this study. The research will assist lawmakers on making reforms to current parental leave policy. Also it will help adapting it to fit every individual instead of the traditional view geared towards a set of individuals such as mothers. The results generated from this research suggest best practices on how to reform these policies to help parents of all backgrounds and orientation.

Literature Review

Overview of the Data on Maternity Leave

Based on data collected by the Bureau of Labor Statistics or “BLS” (2019), about 17% were able to access paid family leaves while 89% received unpaid family leaves. This statistic suggests most employers provide family leaves to most workers for people who have young children adopted or are about to give birth for a certain period for both maternity and paternity. The statistics also included leaves for a sick child, or sickly adult relative however, it varies depending on the size of the establishment. Mostly, the private sector provides such paid leaves to attract and retain highly skilled employees. Based on the survey by BLS (2019), 16% of workers in the private industry access paid leave while 88% accessed unpaid family leaves. In small establishments, only 11% had access to paid family leaves while 80% received unpaid

PARENTAL LEAVE

leaves. However, the percentage increased in 2018 when it comes to large establishments where about 25% of the works had access to paid family leaves compared to the 94% had access to unpaid leaves (Bureau of Labor Statistics, 2019). In the public sector, the statistics are higher, where about 25% from both the state and local government employees received paid family leaves while 94% had unpaid leaves (Bureau of Labor Statistics, 2019). In small public establishments, 23% accessed paid leaves, and 93% of the unpaid family leaves. In the large government organizations, 25% had access to paid family leaves while 95% were unpaid (Bureau of Labor Statistics, 2019). Therefore, based on this data, the nature of civilian workers both in the private and public sectors being able to access leaves is mostly through unpaid family leaves. However, a few organizations and enterprises provide paid family leaves as well. When it comes to Florida, there are no specific data available on the family leaves.

Government Policies on Maternity Leave

The federal government does not provide specific laws on paid parental leaves leaving it to employers to decide on whether to provide the incentive or not. Within The United States, there are only 11 states including the District of Columbia that offer their own state mandated parental leave policy aside from the FMLA (Grant et al., 2005). In states like Florida, there are no specific laws that are guiding the maternity leaves or paternity leaves. However, this does not mean when mothers are about to give birth, care for newborns, or adopt a child they cannot access the leaves. Some states and cities have influence over policies regarding maternity and parental leave. This explains why there are a few states in the US offering paid parental leave to their citizens. Numerous policies regarding birth and adoption set the pace for the change in policies affecting parental leave. States including New Jersey, Massachusetts, California, Connecticut, California, New York, and the Washington District of Colombia have a

PARENTAL LEAVE

Paid Family and Medical Leave (PFML) policy, which all organizations, private and public, must observe. This allows the corporations to provide parents with a PFML when the need arises.

In other states like Florida, there are three main ways through which parents can access the maternity act which includes the Family and Medical Leave Act, the Pregnancy Discrimination Act, and ordinary leaves that get accumulated across the year. However, Florida State has been trying to create a legislature whereby the Florida Family Leave act introduced through HB 889 and SB 1194 will accord the parents to receive paid leaves at least for three months for the adoption of a minor child or birth of a new-born, especially to mothers (Kaplan, 2020). Other specifics in the suggested law also include the need for the employee to have worked at least 18 months with more than a 20 hour average each week (Kaplan, 2020). However, establishments with fewer than 15 employees may not be subjected to such conditions. During the three months, the law proposes the employee does not lose the benefits or pay, and has to return to work after the family leaves ends (Kaplan, 2020).

Currently, the main law being enforced or applied when it comes to maternity leave is the Family and Medical Leave Act which was established by the national government. The act does not mandate mandatory paid parental leaves but gives conditions to protect the mothers or fathers of their job upon the completion of the leave time (Labor Law Centre, 2020). In this case, the policy entails that employees in both the public and private sectors are entitled to 12 weeks of unpaid leave as part of an extended absence from work (Labor Law Centre, 2020). Amongst the cases covered for such a leave to be given by the employer include the need to take care of a new-born baby, or in case of an adoption a minor child. However, the law does not apply to all establishments. In this case, there is an exclusion of firms that have less than 50 employees and

PARENTAL LEAVE

out of a 75-mile radius from where the employee lives (Labor Law Centre, 2020). Employees that benefit from such leave are not guaranteed to keep their jobs during the period as well if they are among the top 10% of the highest-paid employees in the organization (Labor Law Centre, 2020). In this case, the employer has to provide such information before as it has a discretionary power to let the employee go or not during such a leave.

The federal the Pregnancy Discrimination Act is another law commonly used especially advanced from a feminist point of view. Based on the law, it is illegal for employers to discriminate against women because of being pregnant (The Pregnancy Discrimination Act of 1978, 1978). In this case, the organizations cannot fire, deny a pregnant woman a promotion, or refuse to hire because of such a condition. To achieve equality, the pregnant woman has also to be accorded fair chances with everyone and be able to get assessed for career advancement based on capabilities and not gender or pregnancy condition (Labor Law Centre, 2020). However, these laws do not limit companies for some government entities to only the provisions. In this case, companies can advance such benefits and go-ahead to provide the paid leaves voluntarily to their employees and extend the same even to the paternal fathers in case of bonding with the new-born or helping the mother who just gave birth and experiencing complication in the postpartum period (Labor Law Centre, 2020). In case the organizations both in the private and public sector do not provide this, then the employees have to rely on the combination of vacation and personal days, sick leaves, and short term disabilities especially for the mother to be able to deliver a child and take care of them in the first few months after birth, mostly up to three months. The nature of the language in these policies therefore leaves it open for employers to either pay or give unpaid maternal leaves to the new mothers. However, from a feminist point of view which will be discussed at length later in this paper, some of the policies advocate for paid leaves of the mother

PARENTAL LEAVE

of up to 12 weeks in a similar way a sick person or one with a disability will benefit as well. Regardless, the laws do not bound the employer for the paid parental leaves in Florida unless the new legislation comes to pass.

Federal Policy Vs. Private Companies

The federal space and the private entities are diverse, regulated, segmented in a myriad of ways based on divergent laws regarding parental and maternity leave. This makes these two entities operate entirely differently on how they conduct maternity and parental leave of employed parents. Several policies and procedures can make one workplace favorable for new parents compared to another. Before establishing a suitable sector for new parents, it is important to note that The Family and Medical Leave Act only entitles new parents 12 weeks of unpaid leave annually, exclusively to full-time workers based in companies with more than 50 employees (Zagorsky, 2017). Paid leave is therefore entirely voluntary, based on one's company. In 2015 however, former US President Barrack Obama signed a Presidential Memorandum authorizing federal workers to receive up to 6 weeks of paid parental leave (Office of Press Secretary, 2015).

However, the authorization by the former President does not equate to a regulatory requirement in the US constitution. This progress brought by President Obama still does not guarantee the majority of employees in the federal sector a paid parental leave. Despite the little progress made by the former President, it does not look promising working in the public sector as a new parent. With private companies, things are not as good as expected. There is no federal leave policy and as a result, policies are left to private companies and states to regulate which results in no standardized system of leave.

Other Parties Impacted by Leave Policies

Same-sex couples are also impacted by the lack of leave policy. As a professional in a same-sex couple, one may request maternity, paternity, or parental leave following a child's adoption. The Equality Act protects a professional from discrimination based on their sexual orientation (Cicilline, 2019). This means they are entitled to parental leave following the adoption of a child. However, the position and rights of same-sex couples remain confusing, and it is important to review the parental leave options before going forward with an adoption. Same-sex couples take an adoption leave, which essentially mirrors a maternity leave. Therefore, the two people in the relationship go forward with an adoption; only one party takes an adoption leave, that is, the adopter. The other party is then entitled to a paternity leave based on their employer's number of weeks. To qualify for paternity, leave as an adopter means that one party of the same-sex couple must expect to hold the main responsibility other than the adopter of raising the child. This means same-sex couples adopting a child are entitled to parental leave, acquiring the full responsibility of raising the adopted child. In cases of discrimination, there are strict time limits to raise a case when a couple feels they are facing discrimination in the workplace based on their orientation (Wong, Jou, Raub, & Heymann, 2020). Usually, one is expected to make a case three months after the last case of discrimination by their employer. In cases where discrimination involves a number of bureaucratic bottlenecks, one can make a case three months after the last case of continued discrimination.

Another group adversely impacted by leave policy are single parents opting to adopt children who are entitled to parental leave just like same-sex couples adopting children. Single parents have to prove that they have fulfilled the criteria of adopting a child. They further have to prove that they have taken up the main responsibility of bringing up the child. All countries apart

PARENTAL LEAVE

of The Organization for Economic Co-operation and Development (OECD), including the United States, allows a single parent to take up an adoption leave, mirroring maternity leave. Based on the terms provided by an employer, the parent can qualify up to 12 weeks of parental leave, and they could be entitled to pay if the employer pays employees their parental leave dues.

Marginalized Communities

The unpaid parental leave in the federal and private corporations in the USA determines whether parents will take up all the leave days they are entitled. Parents from disadvantaged socio-economic backgrounds would have to forgo some of their leave days to get paid and meet the demands of a new member of the family, whether through birth or adoption. Parents with a better socio-economic standing can go through unpaid leave without taking up extra work to fend for themselves (Edin & Lein, 1997). This creates a disparity among employees, where those earning higher amounts are likely to stay away from work in their entire leave as compared to those surviving on minimum wage.

One of the direct effects of maternity leaves is economic sustainability in households. When women are given unpaid leaves for a period of three weeks, it entails a person losing source of income especially when one needs it most. For low-income families this is even dire as such loss of income may lead to other difficulties in sustaining the family expenses as well (Kaplan, 2020). Besides the households, there are disparities in the marginalized groups when it comes to maternity leaves as well. In a recent article regarding the disparities in the marginalized groups of Florida, Ceballos (2020) indicates one of the main reasons for the poor health leading to the high rate of premature births and infant mortality is due to a large number of uninsured women by the Medicaid coverage for maternity care. The author goes on to suggest women of color even have a worse situation based on a report by Dime in March (Ceballos, 2020). For

instance, between 2016 and 2018 there were about 13.9% of black babies were born prematurely in juxtaposition to the 9.1% for both the whites and Hispanics (Ceballos, 2020). This indicates how such lack of maternity leave benefits contributes to disparities within the marginalized groups in Florida, especially women of color that are about to give birth.

Maternity in the USA and Standard Policy

It is shocking when one learns that maternity in the USA is unpaid for 12 weeks. This is even more disturbing considering the USA is one of the richest countries in the world. In 2019, UNICEF reported that despite the USA being one of the world's richest countries, the nation still remained the least friendly to families (UNICEF Office of Research - Innocenti). There are currently limited federal protections for pregnant women at work and couples who take parental leave. The Family and Medical Leave Act only offers job protection for up to 12 weeks, where an employee is entitled to their paid leave (The Family and Medical Leave Act, 1993). However, one must qualify for the FMLA protection act, where the subject company must have employed them for at least 12 months (Walsh, Gantt, Irish, Sanfey, & Stein, 2019). According to the FMLA, "covered employers include public agencies and local education agencies, as well as private sector employers of 50 or more people" (The Family and Medical Leave Act, 1993). In other words, these requirements must be met in order to be eligible. These conditions create the reality of maternity and parental leave in the USA. Interaction with new parents shows family leave in the USA is complicated, highly insufficient, and in most cases, inaccessible to those who truly need it. The FMLA is not the protection needed by new parents in the USA. Conditions by the FMLA show they have put a price tag on pregnancy and adoption. Those who cannot go 12 weeks without an alternative source of income will have to work to make ends meet for the new family. This leaves most Americans with no choice, but to work through their maternity and

PARENTAL LEAVE

parental leave, to ensure there is no shortage in income. The FMLA states that the its policy on allows up to “twelve workweeks of leave in a 12-month period for: the birth of a child and to care for the newborn child within one year of birth” or “the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement” (The Family and Medical Leave Act, 1993). This nearly half the amount of time given to military caregivers under the FMLA which states “Twenty-six workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member’s spouse, son, daughter, parent, or next of kin (military caregiver leave)” (The Family and Medical Leave Act, 1993).

In the United States, the Family and Medical Leave Act of 1993 (FMLA) offers an important federal legal framework for understanding parental leave. The law requires mothers to have three months of unpaid leave when they get newborns or adopt children. However, such mothers must have worked for a company with over 50 workers (Faber et al., 2017). FMLA also allows employers to offer unpaid leave on health issues. For example, employees can take leave when a member of the family is experiencing health problems. The federal legislation on family and medical leave does not cover all employees. Moreover, it does not bind all employers to offer unpaid leave under the above circumstances. Employees who have worked for at least 12 months are eligible for FMLA and they must have worked not less than 1250 hours in the twelve months preceding the commencement of the leave.

Despite the promise of FMLA as a parental leave policy in the United States, it does not completely cover all employees. The law only mandates companies with more than 50 employees to offer unpaid leave (Faber et al., 2017). It leaves a large population of the America workforce without any legal protection on issues around parental leave. The lack of protection

PARENTAL LEAVE

for employees working in small companies underscores the inevitability of work-family conflicts. One of the conditions that employees should meet to become eligible for FMLA is that the company they work for must be within a 75- mile radius. This provision of the law is consequential because it precludes employees working in any radius outside the 75 miles from benefitting from the policy.

The most recent parental leave policy that could significantly alter America's position on leave is the National Defense Authorization Act (NDAA). The Act was the outcome of a deal that the House and Senate Committees had announced in 2020, and which could inform the federal government's parental leave policy. A provision in the 2020 bill entitles Title 5 federal employees to 12 weeks to paid leave, or fostering or adoption of a child (Russell, 2020). Although the bill initially failed to include Title 38 workers, the 2021 version of the NDAA makes it possible for federal employees in federal aviation administration (FAA), Department of Veteran Affairs, and Transportation Security Administration to benefit from paid parental leave. Since the NDAA will take effect on October 1, 2021, it will portend significant implications on families. The Act will take an unprecedented approach and change America's long-standing tradition of unpaid leave. Both Title 5 and Title 38 workers will have an opportunity to take paid leave during birth or adoption of a minor child. Consequently, the NDAA is expected to improve work-life balance among beneficiaries and inspire confidence among workers.

The Pregnancy Discrimination Act (PDA) is another significant federal policy that is associated with parental leave. While PDA does not explicitly spell out parental leave, it forbids discrimination on the basis of pregnancy (Magid, 2000). The policy prohibits pregnancy-based discrimination on various aspects of employment such as hiring and firing, as well as leave and health insurance. If an expectant woman is unable to carry out her duties due to complications

PARENTAL LEAVE

resulting from childbirth or pregnancy, employers are mandated to treat her equally. Such treatment may include assigning the woman lighter duties or offering unpaid leave (Magid, 2000). Offering reasonable leave may assist the sick woman to recover and get back to work. In this regard, the PDA spells out circumstances under which a parent can be granted leave.

The standard policy in the United States regarding parental leave, whether through birth or adoption, only protects a worker for 12 weeks. This, however, is not protection enough for a parent without an alternative source of income. This is also vastly different than leave policies in other countries, which will be discussed below.

Parental Leave in Other Countries

All countries that take part in the Organization for Economic Co-operation and Development (OECD) countries offer at least 12 weeks of paid parental leave, with the exception of the United States (UNICEF Office of Research - Innocenti). Half of the OECD countries further grant fathers a paid paternity leave on the arrival of a baby. The OECD countries provide more support for mothers, who are allowed to take up more leave through paternity leave days (Khan, 2020). Twenty-three of the OECD countries provide paid leave to both parents; however, paternal leave uptake is considerably low (UNICEF Office of Research - Innocenti). In other countries, fathers are encouraged to take paternal leave through incentives such as monthly bonuses and daddy quotas. Contrasted to other countries in OECD, United States gives families a raw deal concerning family leave.

Florida Parental Leave Policies and Implications

While many states in the U.S. have parental leave policies, the State of Florida does not have a parental leave policy. Consequently, many parents in Florida are entitled to the leave

PARENTAL LEAVE

policies as envisaged by the FMLA. The Pregnancy Discrimination Act (PDA) is a federal legislation that protects expectant employees. As a consequence of PDA, expectant employees may have time away from work, without fear of discrimination. Despite the absence of a state-based policy on parental leave, there have been efforts to introduce a family leave policy in Florida.

In December 2020, the state legislature introduced the Florida Family Leave Act. If enacted, the law (hitherto referred to as HB 889 and SB 1194) would mandate employers in Florida to offer three months of paid leave (Moore, 2021). In this regard, parents would have leave for birth or adoption of a minor child. Under the Florida Family Leave Act, employees eligible for parental leave would be expected to have worked for their companies for a minimum of 18 months at the rate of twenty hours weekly. The law would have significant implications on families. First, it departs considerably from the federal legislation, FMLA, by offering parents paid leave as opposed to unpaid leave under FMLA. The provision of paid leave would reduce work-family conflicts and contribute to the development of a happy and satisfied workforce in Florida.

Second, the parental leave policy under legislation in Florida will cushion employees from experiencing any loss or demotion because of taking the leave (Moore, 2021). This can potentially boost the morale and productivity of employees and enhance their commitment to workplace and family. However, the Florida Family Leave Act appears to discriminate some types of employees. For example, it does not subject employers with less than 15 workers to offer paid leave to employees. If enacted, the law would not cover independent contractors. It also binds employees to get back to their jobs after family leave.

Organizational Theory

In a country such as the United States, where parental leave is voluntary, organizational practices determines whether parents will get paid during their absence from work.

Organizational practices related to parental leave will first determine the number of days a parent will get during their leave. The practices will further dictate whether the parent gets paid during their time on leave (Xu, Yang, Wu, Ma, & Wang, 2021). The company will further examine the political instruments of parental leave when creating a parental leave structure.

The organizational theory that underpins parental leave is hermeneutics view of reality. According to Hammer and Palmgren (2019), studies on parental leave seek to understand the link between employee engagement and parental leave policies. Such undertaking requires a researcher to understand and interpret behavior from a social context. In this regard, hermeneutics, as a theoretical framework, enhances an analysis of people's lived experiences through the use of qualitative techniques. This theory underpins the researcher's efforts to familiarize with studies about parental leave and understand parents' experiences in workplaces (Hammer & Palmgren, 2019). The theory enables researchers to exercise hermeneutic sensitivity, remain attentive, utilize listening skills, and ethical sensitivity while collecting data regarding parental leave.

Organizational support plays a central role in the success of parental leave policies. Employees working in organizations that support family-friendly policies are unlikely to encounter work-family conflict (Tremblay & Genin, 2011). Consequently, it leads to family and job satisfaction, and overall satisfaction in life. Parental leave in organizations underscore the existence of family-friendly policies, and it serves to lower potential work-family conflicts. With this understanding, it is possible to examine the current parental leave policies in the United States and the State of Florida and highlight their implications on families.

Feminist Theory

The feminist theories consist of ideas that depict women as equals to men and should receive such treatments based on equal status. In this case, the women should not be viewed or treated in relation to men such as a mother, or subordinate to men that has resulted in multiple inequalities (Ferber & Nelson, 2009). Therefore, when it comes to maternal leaves, most feminist scholars argue the leaves should be provided based on the condition of the pregnancy and needed health environment and not a chance for the men to such a condition or leaves to justify the discriminations against women in the workplaces such as lack of equal opportunities for job promotions. Kurana (2018) contends when it comes to gender inequality and relation to maternity benefits, the work domain is the most focal point of concern where arguments against women lead to discriminations. For instance, Khurana (2018) mentions that most women that are childless can assess some opportunities making those who choose to be mothers consider to have fallen into a baby trap, which is comparable to motherhood. Another argument that encourages discrimination is that only mothers who have given birth deserve the rights of women. In this case, being a woman is only considered for those who have given birth. In this case, the author argues against such contentions to achieve gender equality when providing maternity leaves including sometimes extending the same even to paternal leaves as well. Therefore, there a need to ensure that the parental leaves especially in the maternal part have to be accessed based on equality and avoid discriminations against the female gender.

Reconstructive feminism argues that paid parental leave is beneficial to fathers, mothers, and children because of society's structure of how gender and culture interact. There are sameness feminists who believe that men and women should be treated equally, in this case, be accorded the same number of leave days, with paid benefits. Difference feminists, on the other

hand, believe that women's differences should be celebrated by according them more leave benefits compared to men. This reasoning could potentially lead to discrimination in the workplace.

Methodology

In this study, 49 participants were recruited through the social media platform Facebook. Participants were part of a parental support group on a Facebook page. Although this page is based in Tampa, Florida, many of the participants lived in many different parts of the US. The Facebook group was public giving access to all people that use the social media platform. All participants were over the age of 18. 25 out of the 49 participants were parents, 16 were not, and the remaining 6 were expecting. Out of the 49 participants, 38 of them were identified as females, 10 as males, and 1 identified as non-binary. 40.82% of the participants were categorized between the ages of 25 to 34 whereas 34.69% were categorized between the ages of 18 to 24 years old. From the ages of 35 to 44, there were 12.24% of the participants in this category, 6.12% of participants were between the ages of 45-54, 2.04% were 55 to 64, and 4.08% were 65 years or older. Of the 49 participants, the highest level of education for 17 of them were a Bachelor's Degree, 17 of them also held a Master's Degree, 3 held a Doctorate Degree, 3 of them also held an Associate's Degree, 1 had a high school diploma, and the remaining 8 participants completed some college credits. 62.08% of participants were Black/African-American, 14.58% of participants were White/Caucasian, 8.33% were Asian/Asian-American, and equally 2.08% were Middle Eastern, Hispanic or Latino, or preferred not to answer. Annually, 17 participants made \$35,000 or less a year, 14 made \$35,000-\$60,000, 3 made \$60,000-\$90,000, 2 made \$90,000 and above, and lastly 2 participants preferred not to answer. Only 7 participants were single parents compared to a two parent household.

The survey consisted of 34 multiple choice and open ended questions. The beginning questions focused on demographics such as age, gender, education background, ethnicity, and income status. The following questions were background questions such as if they were single parents, if they worked full-time or part-time, etcetera. The other multiple choice questions were perceptual questions to see if the participants understood something, yes or no. The last set of multiple choice questions were indirect and direct attitude questions to examine how participants felt about something. These questions were followed by open-ended results for participants to expand on their feelings. Some of the questions were measured on a forced choice scale which participants are required to answer in a yes or no, disagree or agree format excluding the option “I don’t know or not applicable” (Allen, 2017).

Participants were given an URL to take the survey on Qualtrics. Participants were able to take the survey off of their electronic devices at their leisure. Participants initially answered some background questions. The survey likely took approximately 20 to 25 minutes to complete. The survey consisted of 34 multiple choice questions and open ended questions. The quantitative data was put through JASP and numerically analyzed the data. The qualitative data was analyzed using thematic analysis and content analysis. In the thematic analyses, the data was searched for and themes based on three things: recurrence, forcefulness, and repetition. The context analyses examined themes that showed up consistently but not looking for how many times a certain word or phrase emerges. The analyses emphasized the data to interpret meaning and organize the texts into comprehensive categories.

Results

55.45% of participants answered “yes” to their place of employment having its own company policy for parental leave aside from the Family Leave Act of 1993 (FMLA). Interestingly,

PARENTAL LEAVE

69.23% of the participants answered “no” to state have its own universal parental leave policy aside from the FMLA. Furthermore, for participants that worked part-time, 86.67% of them reported they were not covered under their company’s parental leave policy. Under the context of their workplace, parental leave policies, 55.45% said “no” to their place of employment parental leave policies extending its policy to adoption/surrogacy. In addition to these policies, 74.19% of participants reported they did not understand current place of employment parental leave policy. However, 19 participants felt neutral about how their current place of employment parental leave policy is worded, leaving 14 of them who replied “no” and 4 of them who said “yes.”

When participants were asked if they felt that they had a supportive work environment or supportive colleagues, many of the participants said “yes” accounting for 67.57% of individuals compared to the 13.51% who said “no.” Those who responded “no” explained their answers stating their difficulties with their job coverage for their position and “poor management.” When individuals were asked if they feared their employers may think differently of them or act differently towards them because they’re a parent or if you take parental leave, 70.27% individuals responded with “no” and 16.22% responded “yes.” When individuals were asked to explain their data, those who said “no” argued that their colleagues were supportive as some of them were parents themselves. Those who reported “yes” argued their colleagues either cared about the workload they had to take up because of them going on leave or their colleagues tried to get them fired afterwards.

51.35% of individuals felt that their current parental leave policy was biased stating in their responses there are disparities in gender when it came to their parental leave policy at their workplace. Many people reported their current place of employment parental leave policy had a

PARENTAL LEAVE

negative impact on their mental health and organizational work structure reporting not long enough to fully adjust to the birth and immediate care of an infant, stress of finding childcare and returning to work with the risk of being fired, and the stress of it being unpaid leave. Many people reported their current place of employment parental leave policy had a negative impact on their family structure noting the lack of flexibility, use of all sick time included, being reliant on one parent to be the bread winner, and noting females are provided a longer leave than fathers which negatively affects how parents are able to work together at the beginning stages of becoming parents. When asked how could their current place of employment parental leave policy be better or change their experience, many stated more time off, paid leave, more equitable policies, and making policies easier to understand.

Discussion

According to the data, there are negative implications physically, socially, and mentally on organizational work and family structure. As the data reported 55.45% of participants answered “yes” to their place of employment having its own company policy for parental leave aside from the Family Leave Act of 1993 (FMLA). Although the FMLA is enacted federally, companies have the option to have its own parental leave policy in addition to the FMLA. The FMLA has many restrictions such as unpaid leave and a 12-week time period not including some of the qualifications such as using up sick time first before applying for the FMLA, having worked a minimum of 18 months at their current job, and working an average of at least 20 hours per week (Kaplan, 2020). This can account for the negative implications many of the participants reported as the FMLA is not always feasible and can be discriminative to some employees leaving them out. Individuals who worked less than 18 months at a place or work less than 20 hours each week are excluded under this policy as well as independent contractors (The Family and Medical

PARENTAL LEAVE

Leave Act of 1993, 1993). 69.23% of the participants lived in states where their state does not have a mandated parental leave policy aside from the FMLA. This can become a problem since the FMLA only provides unpaid leave leaving many individuals in a financial crisis for individuals who have low-incomes struggle navigating socio-economic barriers keeping up with family expenses, taking care of their family, and not being paid within that time off (Kaplan, 2020). This creates a gap between those who can afford to take unpaid leave and those who cannot (Edin & Lein, 1997).

There are implications for those not covered by leave policies. The data suggest 86.67% of part-time employees reported they were not covered under their company's parental leave policy. Current parental leave policies such as the FMLA leave out marginalized groups of people such as those who wish to adopt children. Many of these policies implements do not have added clauses in for cases like adoption and classify them as one under parental leave when the process is different. As supported, the data showed 55.45% of participants reported their place of employment parental leave policies does not extend its policy to adoption/surrogacy. Leaving out individuals who wish to adopt may shy away from adopting or taking time off because of this. Parental leave policies are important when it comes to understanding what it entails and going about getting leave. However, 74.19% of participants reported they did not understand current place of employment parental leave policy. Not understanding the policies can lead to negative feelings about them or employees not receiving the full benefits under the policy or being eligible to apply for parental leave.

These policies work in accordance with the family and organizational work structure. According to Tremblay & Genin (2011) it is essential for a supportive work environment for there to be positive implications of parental leave policies. Research also suggests supportive

PARENTAL LEAVE

work environments lead to family and job satisfactions and lower conflict (Tremblay & Genin, 2011). Although majority of the participants had a supportive work environment those who were not, had recurring themes in their answers. One of the biggest problem reported was employees finding another colleague to take over their work load. This can cause conflict in the workplace as shown in the data. The data suggests that those who felt that their colleagues will look at them differently when taking parental leave, many of the answers reported their colleagues only cared about their own workload or their colleagues tried to get them fired afterwards. This can make many individuals fearful to take parental leave and leave a negative impact on them. Parental leave policies that protects employees for demotion or being fired can have more of a positive effect on the workplace culture riding the fear many individuals may have (Moore, 2021).

The majority of the participants stated that their current parental leave policies at their workplace, had negative effects on their mental health due to stressors such as lack of sick time off, lack off flexibility within schedules and moving about, lack of money, and the inequality between the amount of time off females were given compared to males. In addition, 51.35% of individuals felt that their current parental leave policy was bias mentioning in their responses that there are disparities in gender when it came to their parental leave policy at their workplace. Khurana (2018) argues to stop marginalizing groups of people to achieve equality in parental leaves policies extending the same benefits for men. Khurana (2018) notes the to avoid discrimination based on gender is to ensure these policies are applicable and given to both parties fairly. Participants also reported in order to enhance their current parental leave policy, these policies need to account for more time off suggesting 12 weeks is not enough, paid leave, policies that are fair and inclusive, and policies that are easy to understand and read. This research makes room for better parental leave policies and how to approach them. This study

provides insight to the flaws in current parental leave policies and how to fix them. Parental leave policies have not adapted to the current times calling for a change.

Conclusion

Current parental leave policies have negative implications on its employees' socially, physically, and mentally in regards to their family and organizational work structure.

A limitation to this research study is that it did not account for individuals outside of The United States and a comparison of parental leave policies and its implications. The recruiting of participants was only limited to the social media platform Facebook which can attract certain groups of people compared to other social media platforms. For a study conducted about parents, it is difficult to get participants that are parents to find time in their day to respond to a 25-minute survey while balancing family and work life. This may have resulted in participants giving short answers and not fully explaining themselves or not having an answer when asked to explain.

For future parental leave policies, it is recommended for policies to be easy to understand and broken up into pieces that are not lengthy or full of jargon. These policies should reflect actual parents who are working across all demographics. These policies should also extend to those who are single parents, men, part-time employees, and individuals who plan to adopt. These clauses should not mirror regular parent leave policies, but have sections that are only exclusive to their group and their process. These policies should also allow for paid time off and a longer period of time off to accommodate individuals who may need the extended time off due to high risk pregnancy, childcare, and family bonding time.

This study showed the perceived hidden biases in current parental leave policy and its exclusion of many groups of people. There are many individuals who live in states that do not

PARENTAL LEAVE

have their own current parental leave policy mandated by their state aside from the FMLA. The FMLA is not always helpful as it has its flaws and falls short for some individuals. Participants responded they felt the FMLA does not give employees adequate time off or account for their financial expenses. This study yield insight as to how to make changes to current parental leave policies to better serve the needs and wants of many working parents.

References

- Allen, M. (2017). *The sage encyclopedia of communication research methods* (Vols. 1-4). Thousand Oaks, CA: SAGE Publications, Inc doi: 10.4135/9781483381411
- BLS. (2019). *Access to paid and unpaid family leave in 2018*. Bureau of Labor statistics. Retrieved 5 January 2021, from <https://www.bls.gov/opub/ted/2019/access-to-paid-and-unpaid-family-leave-in-2018.htm>.
- Ceballos, J. (2020). *Racial Disparities in Florida Threaten Infant Health*. Miami New Times. Retrieved 5 January 2021, from <https://www.miaminewtimes.com/news/racial-disparities-in-florida-threaten-infant-health-11749238>.
- Cicilline, D. N. (2019, May 20). *Text - H.R.5 - 116th Congress (2019-2020): Equality Act*. Congress.gov. <https://www.congress.gov/bill/116th-congress/house-bill/5/text>.
- Edin, K., & Lein, L. (1997). *Making ends meet: how single mothers survive welfare and low-wage work*. Russell Sage Foundation.
- Faber, A., Friend, J., McGee, K., & Wilson, T. (2017). Family and Medical Leave Act. *Geo. J. Gender & L.*, 19, 305.
- Family and Medical Leave Act*. United States Department of Labor. (n.d.). <https://www.dol.gov/agencies/whd/fmla>.
- Ferber, M. A., & Nelson, J. A. (Eds.). (2009). *Beyond economic man: Feminist theory and economics*. University of Chicago Press.
- Grant, J., Hatcher, T., & Patel, N. (2005). *Expecting better: a state-by-state analysis of parental leave programs*. National Partnership for Women & Families.

- Hammer, P., & Palmgren, R. (2019). *How parental leave policies influence employee engagement*. Retrieved February 24, 2021, from <https://www.diva-portal.org/smash/get/diva2:1331586/FULLTEXT01.pdf>
- International Labor Organization (ILO). (2014). *Maternity and Paternity at Work: Law and Practice*. Retrieved February 24, 2021, from https://www.ilo.org/wcmsp5/groups/public/-dgreports/---dcomm/documents/publication/wcms_242617.pdf
- Jeon, S., Lee, M., & Kim, S. (2021). Factors Influencing Fertility Intentions of Newlyweds in South Korea: Focus on Demographics, Socioeconomics, Housing Situation, Residential Satisfaction, and Housing Expectation. *Sustainability*, 1534.
- Kaplan, J. (2020). *Could Paid Parental Leave be on the Horizon in Florida? - James Moore*. James Moore. Retrieved 5 January 2021, from <https://www.jmco.com/paid-parental-leave-florida/>.
- Khan, M. S. (2020). Paid family leave and children health outcomes in OECD countries. *Children and youth services review*.
- Khurana, N. (2018). *Feminist Perspective on Maternity Benefits: Disparities in Legal Jurisprudence*. Research Gate. Retrieved 5 January 2021, from https://www.researchgate.net/publication/328927599_%27Feminist_Perspective_on_Maternity_Benefits_Disparities_in_Legal_Jurisprudence%27.
- Labor Law Centre. (2020). *Florida (FL) Maternity Leave Law Explained*. Labor Law Education Center. Retrieved 5 January 2021, from <https://www.laborlawcenter.com/education-center/florida-fl-maternity-leave-law/>.

PARENTAL LEAVE

Magid, J. M. (2000). Pregnant with Possibility: Reexamining the Pregnancy Discrimination Act. *Am. Bus. LJ*, 38, 819.

Moore, J. (2021). *Could paid parental leave be on the horizon in Florida?* Retrieved February 24, 2021, from <https://www.jmco.com/paid-parental-leave-florida/>

Office of the Press Secretary. (2015, January 21). *Modernizing Federal Leave Policies for Childbirth, Adoption, and Foster Care To Recruit and Retain Talent and Improve Productivity*. Federal Register. <https://www.federalregister.gov/documents/2015/01/21/2015-01118/modernizing-federal-leave-policies-for-childbirth-adoption-and-foster-care-to-recruit-and-retain>.

Russell, L. (2020, July 22). House-passed NDAA expands paid leave benefit to excluded feds. *FCW*. Retrieved February 24, 2021, from <https://fcw.com/articles/2020/07/22/russell-ndaa-leave-benefit.aspx>

Tremblay, D. G., & Genin, É. (2011). Parental leave: an important employee right, but an organizational challenge. *Employee Responsibilities and Rights Journal*, 23(4), 249-268.

UNICEF Office of Research - Innocenti. (n.d.). *Are the world's richest countries family friendly?* Are the world's richest countries family friendly?: Policy in the OECD and EU. <https://www.unicef-irc.org/family-friendly>.

Walsh, D. S., Gantt, N. L., Irish, W., Sanfey, H. A., & Stein, S. (2019). Policies and practice regarding pregnancy and maternity leave: an international survey. *The American Journal of Surgery*, 798-802.

PARENTAL LEAVE

Wong, E., Jou, J., Raub, A., & Heymann, J. (2020). Comparing the availability of paid parental leave for same-sex and different-sex couples in 34 OECD countries. *Journal of Social Policy*, 525-545.

Xu, S. T., Yang, W., Wu, L., Ma, E., & Wang, D. (2021). Work or baby? Maternity leave in the US lodging industry. *Journal of Hospitality and Tourism Management*, 267-271.

Zagorsky, J. L. (2017). Divergent trends in US maternity and paternity leave, 1994–2015. *American journal of public health*, 460-465.

Presentation YouTube Link

<https://youtu.be/sNEmyHsRZPs>