

Family Leave in the United States Should be Expanded

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The United States of America (USA) is one of only three countries around the world and the only Economic Co-operation and Development (OECD) country that does not guarantee paid leave for caregivers of newly born or adopted children (e.g., “family leave”).¹⁻² Family leave influences how a child will be raised, who will be spending the most time with a child, and what resources parents can afford for their child. Given the lack of a federal policy, Washington DC and nine states (California, Colorado, Delaware, Maryland, Massachusetts, New Jersey, New York, Oregon Rhode Island, Washington) independently offer paid family leave policies. Certain private employers offer paid family leave as well. As a result of this patchwork approach, in the USA only 59% of workers are covered by federal family leave policy (the Family and Medical Leave Act [FMLA]), which guarantees only unpaid leave, and only 11-16% have access to paid family leave.^{3,10}

Research documents that paid family leave is associated with numerous positive outcomes for children and families. Related to children, improved outcomes include healthier birth weight, fewer infant deaths, improved long-term achievement, and greater academic success.^{2,3} Even the 1993 implementation of FMLA, requiring only that employers offer employees the ability to take up to 12 weeks of unpaid leave, showed a reduction in infant mortality, and research suggests that that with paid leave there would be an even larger drop of 13%.³ Being able to spend time to nurture children has proven to positively impact the child’s IQ and college attendance, while

reducing school dropout rates and teenage pregnancy. Studies have demonstrated that with a six-month extension of family leave, infants had a 40% increase in being able to exclusively breastfeed at only six months old.³ Additionally, having parents at home post-birth has resulted in higher adherence to childhood vaccination schedules and a 46% reduction in rehospitalization within the first year.¹⁰ For mothers, being able to take family leave without stress from a lack of income allows for better maternal health, including reductions in stress and improvements in mood when mothers were able to rest and bond with their baby throughout their leave.^{2,3} The presence of paid family leave also has been found to be associated with lower rates of postpartum depression which is one of our nation’s most critical mental and public health concerns.¹⁰ Not only is paid family leave beneficial for mental health, but studies have also found that it is beneficial to physical health as well which is important for recovery after birth.¹⁰ Mothers without paid leave are more likely to return to work quickly; for example, one investigation found that 23% of mothers without paid leave return to work within 10 days of birth.^{1,2} Additionally, evidence demonstrates that certain aspects of family leave policies, such as protected leave time for fathers, incentives for fathers to take leave, and prohibition of father’s ability to transfer leave to mothers, are effective in increasing fathers’ involvement in child rearing, better socio-emotional child health outcomes, higher rates of maternal return to the workplace, and higher rates of breastfeeding.³

Despite the evidence supporting adequate family leave, policies vary greatly

across countries. For example, certain countries coverage includes more than one parent (e.g., mothers and fathers in Iceland and Israel) and other countries' coverage includes only mothers or child-bearing parents, coverage ranges in duration from 12 weeks in the United Kingdom and Mexico to 85 weeks in Estonia, and amount of income replaced is partial in certain nations (e.g., 55% in Canada) and comprehensive in others (e.g., 100% in Spain).^{3,10} One country that is often considered an exemplar related to paid family leave is Sweden, as Sweden offers comprehensive family leave policy, demonstrates excellent child health outcomes, and was the first nation to offer paid leave for fathers.^{3,11} The purpose of this opinion piece is to summarize and compare the federal family leave policy of the USA and Sweden (as an exemplar country with a more comprehensive policy) and to present recommendations for how the USA can improve its current policy.

Family leave in the USA applies only to one parent and does not guarantee pay. Under the FMLA,¹³ the primary federal policy dictating family leave in the USA, eligible employees choose to take up to 12 weeks of job-protected leave for certain family and medical reasons, including adoption or birth of a child. Employers may but are not required to provide pay during that leave.¹⁴ The weeks cannot be transferred between parents or start prior to the child's birth. FMLA eligibility is limited to employees with 12 months of service at their employer, who have worked at least 1,250 hours over those 12 months, and who work for an employer with at least 50 employees within 75 miles. As a result, estimates suggest that up to half of American employees are not eligible for FMLA.²⁻³

Many private employers in the United States independently offer family leave policies that are more robust than FMLA. For example, Amazon offers an extensive paid family leave policy that includes up to twenty weeks of fully paid leave for the birthing parent including four weeks before the baby is born.¹⁴ Supporting parents and adoptive parents are offered six weeks of fully paid leave, and a Leave Share program allows employees to give six weeks of paid leave to their partner if their workplace

does not provide them with paid leave.¹⁴ Policies such as Amazon's demonstrate how private employers provide support that is lacking in FMLA to families.

In comparison, Sweden's family leave policy offers increased duration, greater flexibility, and financial support. Sweden offers 480 days of leave, with each parent being entitled to 240 of those days, and leave can be taken up to 60 days prior to the expected birth. Leave can be used throughout a child's early years, though 384 days must be taken before age 4 and the remaining before age 12. Leave is paid, though the level of monetary support given depends on the amount of time taken in addition to the income of the family. A comparison of key differences in Sweden versus the USA's policies are presented in Table 1.

Our opinion is that to improve the USA's policy, family leave should apply to all parents equally, be longer, and have guaranteed pay – similar to Sweden's approach. More specifically, we recommend at least 12 weeks of paid family leave with guaranteed job protection, that parents of all genders be eligible for leave, that parental leave not be transferrable between parents (e.g., no transfer from one parent to another) to avoid gender inequity in leave taking, and that all parents be incentivized to take leave. Our recommendations build upon the USA's existing framework of 12 weeks of leave available via FMLA, but expand by requiring that leave be paid and increasing involvement of all parents (rather than only the child-bearing parent) – all suggestions consistent with research evidence and common in other OECD nations. Our recommendations align with – though are more comprehensive than – recent legislation. For example, the Build Back Better spending plan led by the administration of President Joseph R. Biden originally proposed 12 weeks of paid leave with more comprehensive eligibility requirements than that of FMLA; however the plan was pared down significantly during negotiations and eventually not passed by Congress. The recently passed Inflation Reduction Act¹⁴ included select aspects related to the Build Back Better plan, though the family leave components were not included. We advocate for ongoing

Congressional negotiations about improving federal family leave policy.

Our recommendations would support greater involvement of non-childbearing parents, increased duration and flexibility of parental involvement during the early years of a child’s life, and financial resources for families. They align with major professional organizations including the International Labor Organization, the American Academy of Pediatrics, the American Public Health Association, and the American College of Obstetricians and Gynecologists.⁶⁻⁹ Our

recommendations are consistent with evidence demonstrating associations between more comprehensive, paid family leave and better child and parent outcomes.²⁻³

Children are the future. Prior expert recommendations and research suggest that expanding family leave will better support children and parents in the USA. The USA can learn from countries, such as Sweden, that have more comprehensive policies. In closing, we argue for changes in the USA family leave policy to support better child health outcomes.

Table 1 – Comparison of Family Leave Policies: United States of America’s Family and Medical Leave Act versus Sweden’s Family Leave Policies

| | United States of America’s Family and Medical Leave Act | Sweden’s Family Leave Policies |
|---|--|--|
| Conditions of New Child Placement | Child must be a biological, adopted, fostered, stepchild, legal ward, or in <i>loco parentis</i> | Must have custody of child or live with/have a relationship with a parent of the child |
| Duration of Leave | 12 work weeks (60 workdays) within the 12 months post birth/placement Can block time off intermittently | 480 days for 1 child (+ 180 days per additional child) Workday flexibility (whole or parts of days) |
| Paid | No, but may use vacation or paid-time-off (PTO) time | Yes Must be covered by social insurance Level of benefit dependent on income and amount of parental leave used Pregnancy cash benefit: around 80% of salary if have a strenuous or hazardous job that limits working ability while pregnant Temporary parental benefit: for care of sick child if income is lost |
| | United States of America’s Family and Medical Leave Act (cont.) | Sweden’s Family Leave Policies (cont.) |
| Applicable to Both Parents | Yes | Yes |
| Transferrable between Parents | No | Yes (up to 150 days) |
| Applicable to adopted or foster care children | Yes | Yes |

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|---|---|--|
| Eligibility Requirements | Employee of private-sector employer with at least 50 employees in 20 or more workweeks; public agency (local, state, federal government agencies); public or private elementary or secondary school | Live in Sweden Work in Sweden or another Nordic country |
| Amount of Time Required to be Working for Employer to be Eligible | 12 months, 1,250 hours of service | 240 days (entitled to leave if requirement not met, compensation is reduced) |
| Start Dates | Can begin before the expected birth (employer-specific) Inform employer 30 days before intended leave | Birthing parent: 60 days before expected birth Other parent: temporary 10 day leave before expected birth Inform employer 2 months before intended leave |
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Conflicts of Interest

All authors declare no conflict of interest.

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Statement of Contributions

Amanda Ng and Alexa Sparango conceptualized this manuscript. Amanda Ng and Alexa Sparango wrote the first draft. Amanda Ng, Alexa Sparango, and Krista Schroeder revised the final version of manuscript.

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