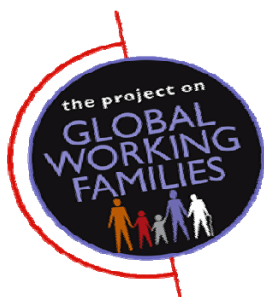


The Work, Family, and Equity Index

*How Does the
United States
Measure Up?*

Jody Heymann
Alison Earle
Jeffrey Hayes



About the Institute for Health and Social Policy

The Institute for Health and Social Policy at McGill University was created to conduct and support world class research into the impact of social conditions on health and to lead programs designed to translate research findings into policies and programs on national and global scales that change the social conditions under which the worst off live. Among other initiatives, the Institute is committed to the creation of a unique health and social policy data center that can be used by researchers and policymakers alike to examine the effects of social and economic policies on health worldwide. The Institute is also committed to building collaborations with policymakers and to developing model programs in order to address health needs.

About the Project on Global Working Families

The Project on Global Working Families is the first program devoted to understanding and improving the relationship between working conditions and family health and well-being globally. For more than a decade, the research team has studied and documented the experiences of tens of thousands of working families in Latin America, Africa, Asia, North America, and Europe through analyses of national and regional household survey data, in-depth interviews, and analyses of socioeconomic statistics and public policies worldwide. The Project is committed to gaining a better understanding of how globalization and other major transformations affect families' working conditions and social supports, of the impact of these conditions on children's health and development, and of possible public and private policy approaches to improving conditions.

About this Report

As part of the Project on Global Working Families, with the support of the Ford Foundation, the **Work, Family, and Equity Index** has been developed to measure governmental performance around the world in meeting the needs of working families.

The elements in the Index have been selected to comprise an evidence-based set of policies that are important to meeting the needs of working families in general and low- and middle-income working families in particular. Those policies that have achieved widespread recognition based on the weight of the research evidence or consensus in global policy and international agreements are included. To complete the index, data were gathered from 177 countries that represent a wide range of political, social and economic systems.

© Project on Global Working Families
Montreal, QC; Boston, MA
All rights reserved.

The Project on Global Working Families
The Institute for Health and Social Policy
1130 Pine Avenue West, Montreal, QC. H3A 1A3
www.mcgill.ca/ihsp Tel: +1(514) 398-2027

Table of Contents

How Does the U.S. Measure Up?

<i>Background</i>	p.1
<i>Where does the U.S. have strong work protections?</i>	p.1
<i>Where does the U.S. lag behind?</i>	p.1
<i>Why does it matter?</i>	p.6
<i>Can we improve conditions for working families?</i>	p. 8
<i>Appendix: Data Sources</i>	p. 9

List of Figures

Figure 1: Maximum Paid leave (Maternity & Parental) Available to Mothers	p.2
Figure 2: Maximum Paid Leave (Paternity & Parental) Available to Fathers	p.2
Figure 3: Duration of Paid Annual Leave	p.4
Figure 4: Policies that Increase Availability to Care for Family Members	p.4
Figure 5: Duration of Paid Sick Leave	p.5
Figure 6: Minimum Wage Replacement Rate for Sick Leave	p.6

How does the United States measure up?

Background

When it comes to ensuring decent working conditions for families, the latest research shows many U.S. public policies still lag dramatically behind all high-income countries, as well as many middle- and low-income countries. This report is based on updated and expanded research used in the first *Work, Family, and Equity Index: Where Does the United States Stand Globally?*, released in 2004.

With the support of the Ford Foundation, the Work, Family, and Equity Index is the first venture to systematically define and measure successful public policies for working families in 177 countries. The evidence-based study uses extensive data from independent research, government sources, academic institutions, professional organizations, and a wide range of international bodies including the UN, OECD, the World Bank, and the ILO.

The Work, Family, and Equity Index is part of the Project on Global Working Families, the first program devoted to understanding and improving the relationship between working conditions around the world and family health and well-being.

Where does the U.S. have strong work protections?

The U.S. performs well in having policies that ensure an equitable right to work for all racial and ethnic groups, regardless of gender, age or disability. U.S. social insurance policies have had marked success in lowering the poverty rates of the elderly, although they have been less successful than other affluent nations in protecting children from poverty.

The U.S. is also one of 117 countries guaranteeing a pay premium for overtime work. The U.S. rate of 150 percent (or “time and a half”) for overtime is near the top in the range of guaranteed payments. Only six countries mandate more.

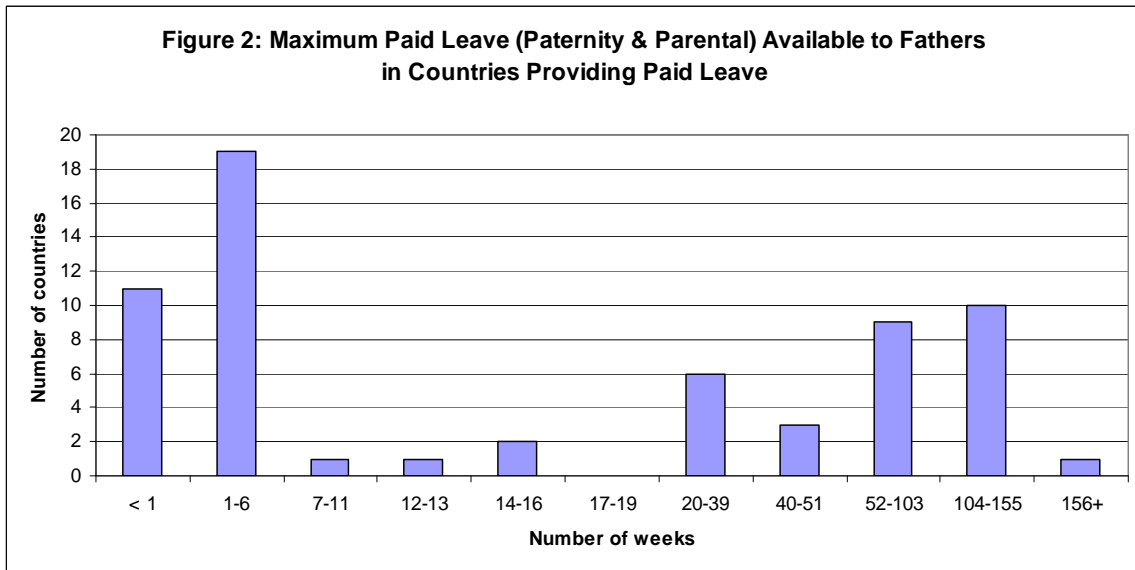
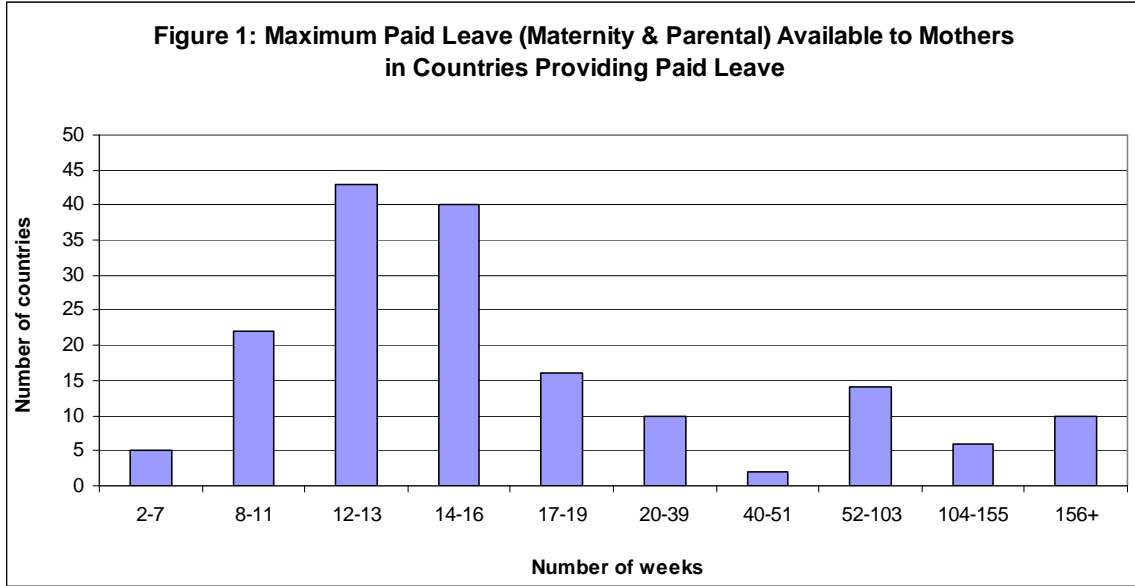
Where does the U.S. lag behind?

Leave around childbearing

- Out of 173 countries studied, 169 countries offer guaranteed leave with income to women in connection with childbirth; 98 of these countries offer 14 or more weeks paid leave. Although in a number of countries many women work in the informal sector, where these government guarantees do not always apply, the fact remains that the U.S. guarantees no paid leave for mothers in any segment of the work force,

leaving it in the company of only 3 other nations: Liberia, Papua New Guinea, and Swaziland.

- 66 countries ensure that fathers either receive paid paternity leave or have a right to paid parental leave; 31 of these countries offer 14 or more weeks of paid leave. The U.S. guarantees fathers neither paid paternity nor paid parental leave.



Support for breastfeeding

- At least 107 countries protect working women's right to breastfeed; in at least 73 of these the breaks are paid. The U.S. does not guarantee the right to breastfeed, even though breastfeeding is proven to reduce infant mortality.
- One hour or more per day is provided in 100 of the countries guaranteeing the right to breastfeed.

Work hours

- 137 countries mandate paid annual leave. 121 countries guarantee 2 weeks or more each year. The U.S. does not require employers to provide paid annual leave.
- At least 134 countries have laws that fix the maximum length of the work week. The U.S. does not have a maximum length of the work week or a limit on mandatory overtime per week.
- While only 28 countries have restrictions or prohibitions on night work, 50 countries have government-mandated evening and night wage premiums. The U.S. neither restricts nor guarantees wage premiums for night work.
- At least 126 countries require employers to provide a mandatory day of rest each week. The U.S. does not guarantee workers this 24-hour break.

Figure 3: Duration of Paid Annual Leave

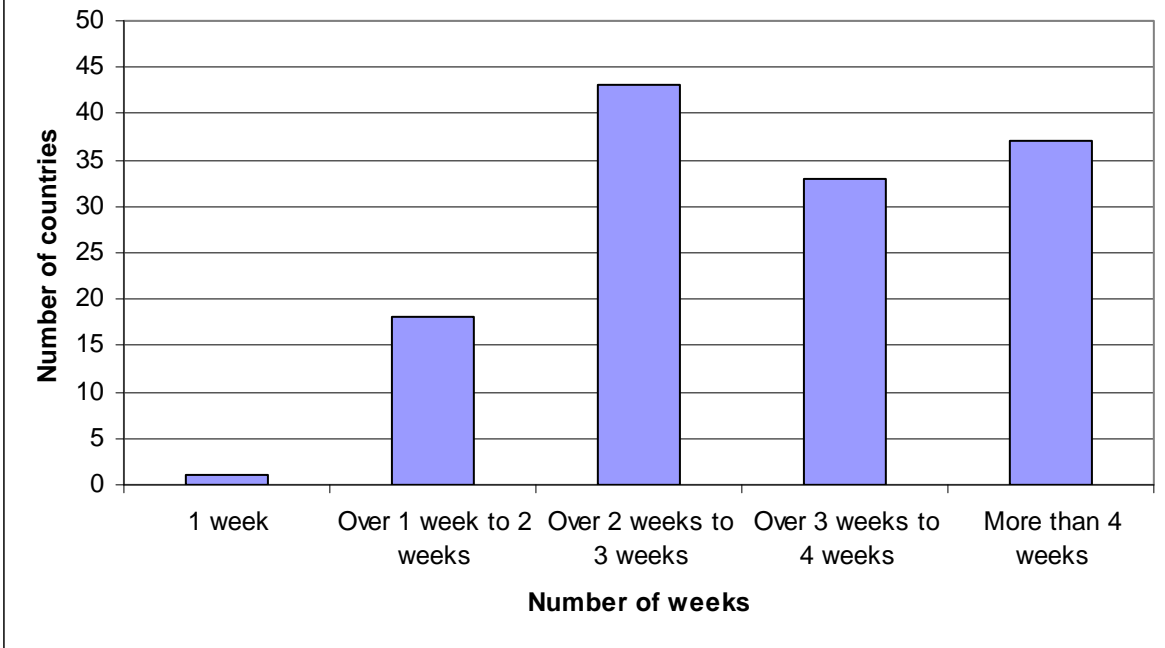


Figure 4: Policies that Increase Availability to Care for Family Members



Leave for illness and family care

- At least 145 countries provide paid sick days for short- or long-term illnesses, with 136 providing a week or more annually. More than 81 countries provide sickness benefits for at least 26 weeks or until recovery. The U.S. provides only unpaid leave for serious illnesses through the FMLA, which does not cover all workers.
- 49 countries guarantee leave for major family events such as marriage or funerals; in 40 of these countries, leave for one or both of these family events is paid.

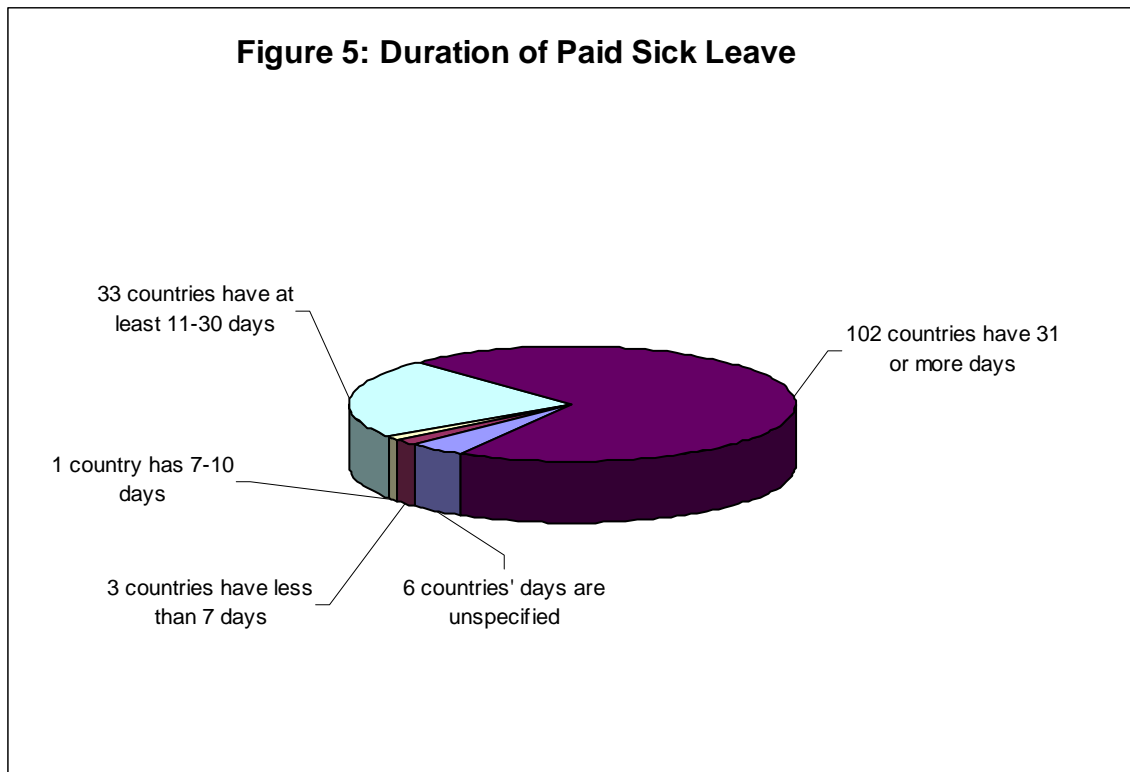
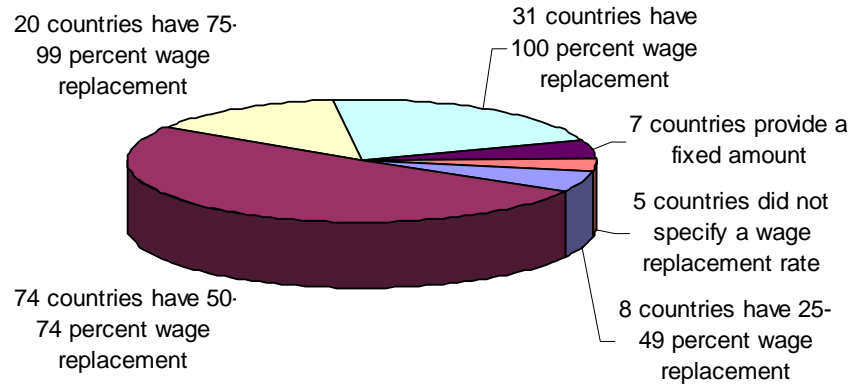


Figure 6: Minimum Wage Replacement Rate for Sick Leave



Why does it matter?

Paid leave for childbearing and childrearing

- Improves children’s health outcomes by making more time available to parents to provide essential care for children, by facilitating breastfeeding which reduces the risk of infections, and by increasing the likelihood that children will receive necessary immunizations, all of which contribute to lower infant mortality and morbidity rates. More time for parents also allows for the formation of bonds between parents and children, fostering positive emotional development of children.
- Improves economic conditions of families by increasing the long-term employment and earning prospects of working parents, especially by eliminating the wage “child penalty” mothers often pay, thereby increasing job security and ensuring consistent income.
- Benefits employers by reducing staff turnover, which can lower recruitment and training costs and improve workers’ productivity. When workers feel supported, they have higher levels of job satisfaction that, in turn, increase their commitment to their company’s success.
- Enshrined in two widely accepted human rights protocols: the International Covenant on Economic, Social, and Cultural Rights (155 countries), and the Convention on the Elimination of Discrimination against Women (185 countries).

Support for breastfeeding

- Breast-feeding results in lower infant and child mortality, with studies finding a 1.5- to 5-fold lower relative risk of mortality among breast-fed children.
- Breast-fed children have lower rates of gastrointestinal infections, respiratory tract infections, meningitis, and other infections. A higher fatality rate from diarrhea has been documented among bottle-fed children in the U.S., Canada, and the United Kingdom, as well as in developing countries.
- In countries with poor sanitation and very low average family incomes, the protective effect of breast-feeding continues after infancy.

Work hours

- Paid leave is widely supported internationally. The Universal Declaration of Human Rights was accepted by all UN member states and the International Covenant on Economic, Social, and Cultural Rights by 155 nations. These protocols call on states to guarantee workers “reasonable limitations of working hours and periodic holidays with pay.”

Work hours and availability of leave markedly affect parental involvement

- Parental involvement is critical to children’s educational, developmental and health outcomes. When parents are involved in their children’s education, children achieve more in elementary school, junior high school and high school. Parental involvement is particularly important for children who are at risk educationally, including children living in poverty and children with learning disabilities.
- Yet, one out of two low-income working parents in the U.S. faced barriers to becoming involved in their children’s education. Thirty-nine percent faced barriers to participating in school meetings, school trips, or school events. Eighteen percent of the low-income parents interviewed had little or no time with their children during the week.
- U.S. poor working parents are more likely than better-off families to have three weeks or more a year of illness burden to manage. And, low-income working parents are less likely than middle-income parents to have the paid leave from work or the flexibility at work needed to address the educational, developmental, and health needs of their children during the workday.

- The number of parents working during the evenings, nights and weekends is on the rise.
- Parental evening and night work can have negative consequences for children and families. Parents who work non-standard shifts are more likely to have children who score poorly on math, vocabulary, and reading tests; who repeat a year; and who are suspended from school. Families with adults who work the night and evening shifts report lower-quality home environments, and shift-working couples have higher divorce rates.
- Evening, night, weekend, and holiday work are typically not occurring by choice. Over three-fifths of U.S. employees working nonstandard schedules do so because they “could not get another job,” because it is “mandated by the employer,” or because of “the nature of the work.”

Leave for illness and family care

- Parents play a crucial role in caring for their children’s health care needs. Parental involvement helps children recover more rapidly from illnesses and injuries. Parental involvement is equally critical in the case of children’s mental health. Parents who have paid sick days are more likely to care for their children themselves when they are sick as well as to provide preventive health care.
- Sick adults also fare better when they receive support and care from family members. For example, social supports have been linked to reduced severity and improved survival rates for patients with heart problems.
- Paid sick days are crucial to the ability of employees to meet their own health needs. When sick employees come to work, they may spread infectious illnesses or reduce productivity. A sick adult cannot perform to his or her best ability at work, care for children and dependent adults, or participate in the community as well as he or she could when in good health.

Can we improve conditions for working families?

There is an enormous payoff to improving working conditions—from lowering long-term family poverty to improving population health and education and increasing their associated economic and social benefits. The data does not support the concern that good working conditions lead to job loss; none of these protections is associated with higher unemployment rates on a national level. Globally, the most economically competitive countries provide, on average, longer parental leave, as well as more leave to care for children.

Appendix: Data Sources

The Harvard-McGill research team gathered a wide range of publicly available data on labor policies in 177 countries. The team relied most heavily on primary data sources including labor codes and other national-level legislation. Secondary sources included reports on national social security programs, data and documents available on individual country websites, and reports from global intergovernmental organizations such as the United Nations and the International Labour Organization (ILO). Where globally comparable data were unavailable, regional sources such as regional academic studies were used. These are all detailed below.

Two overarching characteristics of the Index are worth noting. First, the Index describes and compares policies in countries from a wide range of political, social, economic, and cultural backgrounds. The scope of our data collection has been global. Second, the utility of the Index depends on an assessment of the public policies in a comparable framework. For each Index item, we developed and collected data on a set of core features of the policies, such as the duration of leave and the wage replacement rates.

Primary sources: national labor codes and other laws

We relied most heavily on labor codes and other labor-related legislation including acts and decrees governing working time, holidays and leave, and those protecting the rights of families. These were considered the most reliable sources of information as they are primary sources of data, and thus do not add the possibility of introduction of new errors in secondary analysis. We obtained legislation and labor codes from several sources including:

- NATLEX, online at <http://www.natlex.ilo.org>, a global database of labor, social security, and human rights-related legislation maintained and kept current by the International Labour Organization (ILO);
- The ILO's library at the headquarters in Geneva, Switzerland;
- The Harvard University Law Library; and
- Official websites of various governments.

ILO database (NATLEX)

The ILO is the world's single most comprehensive source of labor legislation and the vast majority of legislation used in our database is from the ILO's NATLEX database, which contains legislation related to labor, social security, and human rights for 186 countries. This source was first accessed from January 2003 through June 2004 and then reexamined between February 7, 2005 and August 15, 2006. The research team was able to read labor codes and legislation available in French, Spanish, English, Portuguese, and Arabic. Every labor code and piece of legislation that relates to Index items was surveyed. Our final review of the NATLEX database was completed in August 2006.

On-line searches for full texts and websites provided by NATLEX

We also searched website links provided by NATLEX to locate the full texts of any legislation listed in the NATLEX database. For example, if NATLEX linked to the Belgian legislation website, we searched it for any Belgian laws that NATLEX did not link to directly. We looked for national laws that the websites covered, even if NATLEX had not listed that law as being available online. URLs for the laws that we found were added to our NATLEX Legislation database.

ILO Library

Based on our searches within the NATLEX database, we compiled a list of all labor codes available only in hard copy in the ILO library. Team members acquired copies of all such codes available in English, French, or Spanish.

While NATLEX and the ILO library are the most expansive source of labor legislation, a few limitations should be noted. There may be lags between the passing of amendments and corresponding changes in the NATLEX database, or the library. Also, while some countries may mandate leave policies through legislation specific to family responsibilities and social security, NATLEX and the ILO library rarely contain this additional legislation.

In addition, NATLEX does not cover all countries. Primary legislative sources from many Western European countries are not included, although we found other sources for these nations. In some cases, the database does not contain the full text of some legislation relevant to our Index measures. When NATLEX did not provide these texts, we entered as much data as was available. In other cases, we used detailed summaries of the provisions provided by NATLEX.

Harvard University Law Library

Harvard University's Law Library was searched for hard copies of labor codes that were not available online or in the ILO library.

Individual government and country websites

The full texts of labor codes or related legislation for some countries, especially in Europe, were not available in any of our focus languages in NATLEX, the ILO library, or the Harvard University Law Library. We therefore searched the internet to locate these laws. We conducted additional internet searches for the government websites of specific countries and searched government websites for the most current versions of legislation referred to elsewhere.

These government websites are regularly updated and contain current and accurate information about each country's policies. Searches for Index-related information on government and country websites took place between approximately January of 2003

through June 2004, April 2005 through June 2005; August through September 2005; and March through May 2006.

Secondary Sources

Secondary data sources enabled us to clarify or supplement information provided by primary sources such as when a whole region was lacking data from the primary data sources. The most heavily used sources were *Social Security Programs Throughout the World (SSPTW)* and *The ILO/UN Report, The World's Women, 2000 and 2005 Update*. Secondary sources on individual government websites were also examined.

Social Security Programs Throughout the World (SSPTW)

The *Social Security Programs throughout the World* database is the most comprehensive source of global data on social security policies. The database contains information on 174 countries, 160 of which the Index includes. The database contains individual reports describing the major features of the social security system in each country. The SSPTW is more comprehensive than any other secondary source we located and contains data on labor codes and legislation we needed for many countries. The source was accessed September 2005-July 2006 and is available at:

<http://www.ssa.gov/policy/docs/progdesc/ssptw/>

The ILO/UN Report, The World's Women, 2000 and 2005 Update

Global data on maternity leave was checked against the UN publication *The World's Women 2000: Trends and Statistics (2000)*, as well as its update, *The World's Women 2005: Progress in Statistics* available at

<http://unstats.un.org/unsd/demographic/products/indwm/ww2005/tab5c.htm>.

The data on wage replacement rate presented in the ILO/UN report is particularly valuable as it is more complete than other sources, including the SSPTW. The ILO/UN data takes employer contributions into account (where applicable) and reports the total amount of wage replacement received during paid maternity leave. In many such cases, this source also describes the breakdown of percentages paid by employer and by social security. We cross-checked the UN/ILO source with other sources to ensure we coded only the most up-to-date policies.

Secondary sources provided on individual government websites

In several cases, government web sites provided only secondary sources, such as synopses of relevant legislation and informational pamphlets. These government publications provide summaries that are generally comprehensive and discuss multiple sources of primary legislation pertaining to a given topic. The summaries often draw upon primary sources and were particularly helpful in our searches for data on leave policies, which are often regulated by several interrelated acts of legislation.

The government summaries filled in missing details and clarified language ambiguities from primary sources.

Countries used in the Index

Our list of countries is based on a review of UN and World Bank data. We excluded territories belonging to other countries on our list, and states that are not independent.