

What Really Helps the Single Working Parent?

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Almost invariably when a program is proposed to benefit working women, the economic situation of the female-headed family is asserted as one of its more compelling justifications.

When the Pregnancy Discrimination Act of 1978 (PDA) was first introduced, its proponents made particular note of the prevalence of families in which a woman was the sole wage earner. Similarly, in the debates over the pending Family and Medical Leave Act (FMLA), which would guarantee women a reasonable period of childbearing/childrearing leave and the right to return to their jobs afterward, the particular importance of the legislation to women heading families receives at least occasional mention.

There is undoubtedly justification for the solicitude for the female-headed family, the poorest economic unit in this society. And no one can question that the guarantees of the PDA and the FMLA will be especially critical to employed single women who bear children. But, while single women (including those divorced, separated, and widowed) make up almost half the female labor force, employed single women seem not very likely to give birth to children, particularly if they are already maintaining families.

The Census Bureau does not maintain data specifically on point. But probably the proportion that never-married

women compose of all employed women with children under 1 year old- around 10 percent in recent years- is a fair proxy for the proportion of children born to all working women that are born to women who are not living with a spouse at the time of birth (although a number of factors could influence that figure slightly in either direction). In any event, single women who bear children while employed are few in number compared with the married women who, along with their families, are the real beneficiaries of legislation accommodating pregnancy in the work place.

The benefit of such legislation to single women seems particularly limited in the case of the PDA. When first proposed, the PDA was expected to have far-reaching effects. But because of the intervening decision in *Nashville Gas Co. v. Satty*, 434 U.S. 136 (1977), expansively interpreting the protections afforded by existing federal employment discrimination law, the principal consequence of the PDA was to require that employers with generous disability benefit plans accord the same treatment to pregnancy-related disabilities that they accord to other disabilities.

Given that single women who bear children tend to be quite young and of lower socio-economic status, few would have the kinds of jobs in which the PDA would make an important difference. In the main, the PDA simply effected a

modest redistribution of the wage package to two-earner families and away from all other employees, including female family heads. When the U.S. Supreme Court, in *Newport News Shipbuilding and Dry Dock Co. v EEOC*, 462 U.S. 669 (1983), subsequently interpreted it to require medical coverage for the pregnancies of spouses of male employees if comprehensive coverage was provided for the spouses of female employees, the PDA effected a further modest redistribution of the wage package, in this case to the benefit of married-couple families and detriment of all other people.

The FMLA would not tend to have the same socio-economic limitations of the PDA. Consequently, we can expect that single women will comprise a somewhat higher, though still quite small, proportion of those enjoying its guarantee that women not lose their jobs because of childbirth.

The economic circumstances of the female-headed family, however, suggest that few single women who bear children will avail themselves of the FMLA's provisions for unpaid leave beyond the period of actual disability. (Actually, employed female family heads, especially those who are divorced, may benefit primarily from the FMLA precisely because they so infrequently have more children, since, particularly in those jobs where competition is largely among women, they may seem attractive candidates to employers concerned about the potential disruptiveness of mandated childbearing leave.)

This is not to say that either the PDA or FMLA is not sensible legislation. But both are primarily for the benefit of the married-couple family, especially the married-couple family with two wage-

earners-usually a quite viable economic unit. And when we justify such legislation we should do so on that basis and without reference to the particularly needy circumstances of the female-headed families that it rarely materially benefits and may even disadvantage.

The failure to distinguish the circumstance of the single female parent from that of women generally infects much commentary on women's employment issues. The plight of the female-headed family with children is often asserted as a reason for the vigorous enforcement of employment discrimination laws of the promotion of affirmative action programs.

Yet, not only are the heads of such families a very small proportion of the female labor force (less than 8 percent in 1985), but they are often among the last to benefit from measures to promote female employment opportunity, both because the child-care problems sometimes limit the range of jobs they can accept and because employers sometimes deny them jobs on the basis of assumed child-care problems.

Moreover, while there is a tendency to regard a perceived increase in the disparity between the economic well-being of female-headed and married-couple families with puzzlement in the face of many years of enforcement of equal opportunity legislation, one of the more obvious reasons to expect such an increase is the dramatic rise in the employment of married women making the comparison more and more between one-earner and two-earner families. If we could effectively separate out the portion of the change in the employment of married women that is a result of employment discrimination legislation, we might well find that a significant part of the deterioration in the relative well-

being of the female-headed family is actually caused by the legislation.

Such a conclusion is of little moment with regard to either the wisdom of legislation guaranteeing women equal opportunity in the first place or the importance of the vigorous enforcement of that legislation, because the guarantee of equal treatment without regard to gender is compellingly justified as an end in itself.

When, however, we consider programs that go beyond equal treatment and accord women preferences in various fields for a putatively socially useful purpose, such as the mitigation of the relative economic disadvantage of the female-headed family, we had better carefully examine whether such programs actually do further those ends. There often is reason to believe that they will have the opposite effect.

The special needs of the female-headed family also are commonly emphasized in the recurring effort to secure federally-subsidized child care. At first sight, that emphasis would seem more justified in this context than in any other, for female-headed families are in fact likely to have the greatest need for subsidized child care. Yet, depending on the amount of the subsidy and the eligibility cutoff, it may well turn out that married-couple families actually derive a disproportionate benefit from federally subsidized child care, because they are better able to afford the participant's contribution.

And, even if this is not the case, if subsidized child care sends more mothers into the work force, the female family head will face increasing competition in the job market and be further disadvantaged in the competition for such resources as housing and child care. Thus, important as subsidized

child care may be to female-headed families, it is not clear that they will be nearly as benefited by the availability of such care as will married-couple families.

In any event, there are two major obstacles to the enactment of heavily subsidized child care. First, it is very expensive. Second, it raises a difficult policy issue of whether society at large, including many families in which the wife chooses to forego outside income to raise the children at home, should subsidize the choice of other families for the wife to work outside the home.

Those obstacles may prove insurmountable, at least under existing budgetary constraints. Both obstacles are primarily germane to the married-couple families that account for approximately 86 percent of working women with preschool-age children- and for which both the necessity of the mother's income and the child-care problems usually are not as great as for female-headed families.

Child care solely for single-parent families (including the modest number of families headed by single men) can be provided at far less cost than child care for everyone, and it does not raise the same policy issue. Thus, if the professed concern of so many child care advocates for the special needs of female-headed families is genuine, child care specifically for such families deserves vigorous support as a separate issue.

And, more generally, we should dispense with using the employed female head to epitomize all working women. She does not. Rather, she is a quite small and discrete subset of the female labor force. She faces many of the same problems faced by other women. But her interests are often distinct from, and may be in competition

with, one or another of the other subsets of employed women.

We should keep this in mind next time the plight of the employed female family head emerges in support of a program that may have little to do with her.

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