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Lessons Learned

Reflections on 4 Decades of Fighting for Families

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Introduction and summary

Over the past half century, the American family has undergone cataclysmic change. In 1950 only 11.9 percent of women with children under the age of 6 were in the labor force;¹ today 77 percent of those mothers work outside the home.² In 1968 48 percent of children were raised in homes where the father worked full time, the mother was not in the labor force, and the parents were married; 40 years later only 20 percent of children lived in such households.³

Women have gone from making up only about one-third of the U.S. workforce in 1969 to nearly half of the workforce now,⁴ and their earnings have become increasingly essential to families' basic economic stability. Yet while the structure of America's families has changed, their basic needs have stayed essentially the same. Children must be cared for and raised; dinners have to be made, and sick relatives have to be taken to the doctor and attended to at home. Indeed, it could well be argued that the demands of caretaking have only grown in recent years, as an "intensive"⁵ style of parenthood has increasingly become the norm and the care needs of a generation of grandparents with greater longevity have exploded.

American society has consistently failed to adapt to the heightened demands placed upon its families and, in particular, on women. Our workplaces are structured today as though we were still living in the early 1960s. The United States is the only industrialized nation that does not guarantee working mothers paid time off to care for a new child.⁶ We are the only developed country that doesn't guarantee paid sick leave.⁷ The lengths of our school day and school year are grossly insufficient to meet the needs of working families, with the result that 15 million school-age children are unsupervised every afternoon.⁸ What child care "system" we have—Head Start for the most at-risk young children and Child Care Development Fund vouchers for the working poor to purchase what care they can—is both grossly inadequate in the number of families it serves and also chaotic, haphazard, and starved of the funds that could guarantee young children an acceptable standard of care. Even the most fortunate—the better-educated and better-off professionals who tend to have access to paid leave, flexibility, sick days,

and decent child care—find balancing the necessary demands of work and home an increasingly fraught and anxious-making endeavor in our era of “extreme jobs” and 24/7 availability.⁹

“It just doesn’t
have to be that
way, doesn’t have
to be that hard.”

– Michelle Obama, *White House Forum on Workplace Flexibility*, 2010.¹²

The need for policies that can at least begin to ease the massive pressures on American families is indisputable. Nearly three-quarters of Americans now say that they, their neighbors, and their friends experience hardship in balancing work, family, and professional responsibilities at least somewhat often, and nearly 40 percent say that they experience such conflict “all the time” or “very often.”¹⁰ In addition, a whopping 72 percent report that they and their families would be likely to suffer significant financial hardships if they had a serious illness or needed to care for a new child or a family member who was ill.¹¹

It’s long been accepted wisdom that Americans view family matters as purely private concerns and that public policy solutions for families—other than the very poorest—have no place in our culture. Yet polls consistently show that support for family-friendly policies is, in fact, overwhelming. A bipartisan poll of more than 1,200 voters, conducted in November 2012 by Lake Research Partners and The Tarrance Group, found 86 percent of respondents saying that it was important for Congress and the president to consider new laws such as paid sick days and paid family and medical leave insurance, with nearly two-thirds of the respondents saying that they judge such action to be “very important.” This support held up across party lines, with 73 percent of Republicans, 87 percent of Independents, and 96 percent of Democrats in agreement.¹³ Other polling has found that more than two-thirds of Americans agree that the government or businesses should be doing more to help fund child care for working parents;¹⁴ three-fourths of Americans believe that employers should give workers more flexibility in their schedules and work locations;¹⁵ and three-quarters of Americans support a policy guaranteeing employees a minimum number of paid sick days.¹⁶

Despite this very robust support, there has been remarkably little progress in family policy over the past several decades. And the few victories achieved have been hard fought, partial, and constantly challenged:

- **The Family and Medical Leave Act of 1993**, which provides workers with 12 weeks of unpaid, job-protected leave to recover from a serious illness, care for a new child, or care for a seriously ill spouse, parent, or child, was passed with such onerous eligibility limitations that 40 percent of all workers in the United States are now excluded from coverage.¹⁷

- **The Child and Dependent Care Tax Credit**, which allows qualifying families to deduct from their taxes up to \$3,000 for the costs of care for one dependent or \$6,000 for the care costs for two or more, is nonrefundable and excludes low-income families who do not owe taxes.
- **The Child Care And Development Block Grant**, which created a voucher system for needy working families or mothers transitioning from welfare, was created with virtually no federal standards and has funding levels so low that today only one in six children eligible for assistance receives it.¹⁸ In 2011 22 states had waiting lists;¹⁹ in Florida alone in 2012 that list contained the names of 75,000 children.²⁰

In the past decade, some points of light have emerged from some states and cities. State funding for public pre-kindergarten programs more than doubled nationwide between 2001 and 2011, with nine states passing legislation to provide universal pre-K programs to all 4-year-olds. Only a handful of those states, however, had allocated sufficient funding to reach all eligible children as of this writing.²¹ Paid family leave became a reality in California and New Jersey in 2002 and 2008, respectively. It also became a reality on paper in Washington state in 2007, but implementation has been delayed repeatedly because of a lack of funding. Four cities—Seattle, Washington, D.C., San Francisco, and Portland—and one state—Connecticut—have passed laws granting at least some workers the right to paid sick days.

Yet even these advances have been very partial and, in the case of pre-K, have come under serious threat in the wake of the Great Recession. Total state funding for pre-K programs decreased by nearly \$30 million between 2009 and 2010 and by \$60 million between 2010 and 2011.²² Four states—Michigan, Minnesota, Missouri, and Ohio—now enroll a smaller percentage of 4-year-olds than they did a decade ago, and Arizona defunded its program entirely for the 2010–2011 school year.²³

Paid leave in California and New Jersey was passed with compromises that sacrificed workers' job security. As a result, a troubling number of those who need it don't take it. A 2011 follow-up study on the effectiveness of paid leave in California found that about one-third of the workers surveyed who had been aware that they had the right to paid family leave didn't apply for it because they feared making their employers "unhappy" and possibly being fired. The survey also found that one-third of respondents who knew that they were entitled to paid leave didn't apply for it because the level of wage replacement was simply too low.²⁴

The growing success of paid-sick-day advocacy has sparked newly energetic and effective efforts by business groups and hostile politicians to turn back the tide, most recently through the use of state-level “preemption” legislation designed to prohibit local governments from passing their own ordinances—such as paid-sick-day measures—that are inconsistent with state law. Lawmakers in Wisconsin were the first to embrace this strategy, passing a law in 2011 that voided a highly popular 2008 Milwaukee paid-sick-day measure. In 2012 lawmakers in Louisiana passed similar legislation aimed at preventing local authorities from taking any future action on paid sick days, and Mississippi, Florida, Michigan, Arizona, Indiana, and Washington state are currently considering similar measures.²⁵

Why has change been so slow to come and so paltry? Why is there such a gap between public opinion and political will? And why has it been possible, at some times and in some places, to achieve at least some positive change? What lessons can be drawn from the few instances of success and the many failures that we’ve seen in the family policy arena? This report seeks to answer these and other pressing questions, with the goal of envisioning a road map for the future.

Throughout its 10-year history, the Center for American Progress has generated an influential body of research cataloguing the challenges facing today’s families and spelling out policy solutions that would better their lives while enhancing the economic strength of our nation. We have long argued that adopting policies that allow all people to realize their human potential are not only the “right” thing for us to do as a society but also the necessary course of action to promote long-term growth and prosperity. Faced with the glaring discrepancy between the urgent need for policies to help families thrive and the sluggish pace of progress, we felt that it was time to take a step back and reflect on both our successes and our failures. We wanted to take stock of our strengths and examine the roadblocks—the attitudes, ideas, and practices of our allies as well as our opponents—that have stood and continue to stand in our way.

This report does not seek to give an encyclopedic account of the battles of the past, nor does it delve into the intricacies of policy analysis or potential legislation. (For this, please see the following among CAP’s most recent policy papers: “Investing in Our Children: A Plan to Expand Access to Preschool and Child Care,” “Our Working Nation in 2013: An Updated National Agenda for Work and Family Policies,” and “Comprehensive Paid Family and Medical Leave for Today’s Families and Workplaces: Crafting a System that Builds on the Experience of Existing Federal and State Programs.”) It is instead a work of reflection. It’s based

on interviews with more than three dozen veterans of the fight for family-friendly policy in America representing a variety of perspectives, generations, and stakeholder groups. Our goal has been to distill hours of wide-ranging conversation down to the essence of what that aggregate experience has taught.

The first part of the report covers the positive lessons learned about messaging and messengers, timing, coalition building, an ideal scope of legislation, and fighting the opposition. What has worked in the battle for family-friendly policies is relatively straightforward:

- Recruiting and engaging powerful, high-profile champions
- Conceiving policies that affect the largest number of people possible
- Building broad and diverse coalitions, including members of the business community
- Being flexible and creative
- Using language that corresponds to widely shared American values
- Driving home to elected leaders that supporting family-friendly policy pays off politically
- Recognizing when the stars are aligned and seizing the moment
- Remembering that successful legislation requires follow up
- Taking the long view

The second part of the report takes up the more challenging problem of examining what didn't work and what still isn't working. This discussion turns around three central questions:

- Why, despite the persistent, pressing, and long-standing need for support for working families, hasn't there been a strong public demand for policy change?
- Why hasn't the push for policies such as paid sick days or paid family and medical leave—measures which could benefit everyone at some point in their lives—attracted a dedicated constituency?
- Why have families never been able to unite as a meaningful lobby?

The lack of demand and a lack of awareness that there might even be something to demand, combined with the related lack of a lobbying constituency, have made it very difficult to mobilize public opinion, much less political will, on behalf of families and children. We explore this problematic lack of demand in the second half of the report. And we argue that what we need to do moving forward is change the national conversation about the struggles of working families in America. We need

to bring new voices to the debate and also shift the debate away from received wisdom and cliché so that the real needs of real families are heard and addressed. To do this, we must:

- Counter the argument that work-family conflict is a purely private concern that individuals need to “work out” on their own.
- Replace the belief that “this is just how it is” with the argument that “it doesn’t have to be this way.”
- Contradict the conventional wisdom that family-friendly policies are bad for business with proof that they in fact boost growth.
- Recognize that while work-family conflict is universal, how it plays out and how people talk about it varies in different communities—and develop messages that take those varied viewpoints into account.
- Undertake an ambitious new body of research to find out what people want, what they feel would be most helpful in making their lives easier, and what words they use to talk about work-family issues. This effort should take the form of a national listening tour that would draw in a wide variety of different communities, including conservatives and people of faith.
- Build a movement to develop a sense of urgency and excitement around these issues.
- Make sure that work-family policy finds its place as part of a broader, inspiring, progressive agenda that seeks to help people meet all of their responsibilities and improve their lives.

This is a promising time to both reflect upon the past and also consider the future of family policy in America. In 2012 our country re-elected a Democratic president with a proven commitment to issues of family economic security, who has signed legislation promoting equal pay for women, hosted a White House forum on workplace flexibility, and expressed a desire to meaningfully expand access to affordable, high-quality child care. President Barack Obama’s call for high-quality pre-K for all children in his 2013 State of the Union address showed that family-friendly policy now has a place at the heart of the progressive agenda. What’s more, the record presence of 20 women in the Senate, as well as a number of female members of the House with a long track record of advocacy on women’s and children’s issues, argues strongly for the possibility of initiating a substantive conversation on family policy in the current Congress. And the passage of health care reform legislation has the potential to prove to Americans at all income levels that government policy—public action—can lead to positive change in their families’ lives.

In addition, demographic changes have given more voice and power to women, Latinos, and African Americans—constituencies with a proven record of greater support for family-friendly policies and greater faith in the role of government—in particular, federal government.²⁶ Furthermore, the growing power of Millennials as a political force heralds the arrival in politics of a generation of both men and women who consider the ability to combine work and family essential to living a good life.²⁷ The Great Recession, which introduced significant numbers of middle-class people to the dislocation and insecurity of life in low-wage, no-benefit jobs, led many Americans to rethink the role that government could and should play in their lives. Bleak though the legislative outlook now seems in our bitterly divided Congress, this is potentially a very fruitful time for thinking creatively and productively about creating a better future for our families.

The Center for American Progress is a nonpartisan research and educational institute dedicated to promoting a strong, just, and free America that ensures opportunity for all. We believe that Americans are bound together by a common commitment to these values and we aspire to ensure that our national policies reflect these values. We work to find progressive and pragmatic solutions to significant domestic and international problems and develop policy proposals that foster a government that is “of the people, by the people, and for the people.”

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