

# The Wrong Way to Do Paid Family Leave



By Bryce Covert

Aug. 12, 2018

Senator Marco Rubio just made a small bit of history: He became the first of his party to put forward a national paid family leave program. On Aug. 2, he introduced a bill that would allow any American to take paid time off to be with a new child.

It marks a surprising step forward: Paid family leave has become bipartisan. Unfortunately, smart policy design has not. Instead of creating a new, desperately needed benefit, Mr. Rubio's bill would make parents cash in their retirement to take care of their children today.

All developed countries — except for the United States — guarantee at least some paid maternity leave, ranging from six weeks in Portugal to 43 weeks in Greece. Americans are only entitled to up to 12 weeks of unpaid leave.

Even securing unpaid time off was a bruising political battle. The former speaker of the House, John Boehner, called unpaid family leave “another example of yuppie empowerment,” and Representative Cass Ballenger reportedly smeared it as “socialism.” The unpaid Family and Medical Leave Act suffered two vetoes from President George H.W. Bush, a Republican, and was signed into law only after Bill Clinton, a Democrat, won the White House.

Mr. Rubio's bill is the most concrete sign of how the politics of family leave have shifted. In 62 percent of married-couple families, both parents work, and over 70 percent of women with children are in the labor force. Republicans have come to realize that these families aren't afraid of the cultural shift represented by working mothers; they are worried instead about what the lack of paid leave will mean for their finances.

But Republicans' policy responses have been feeble. In 2014, their big idea was allowing parents to deduct the cost of a home office with a crib in it from their taxes. In 2015, they rallied around a bill that would let employers give workers the option to trade overtime pay for parental leave.

The plan backed by Mr. Rubio (and soon to be introduced in the House by Representative Ann Wagner, Republican of Missouri) is much more comprehensive. But it still makes parents trade one benefit for another.

It would allow a parent to draw from Social Security benefits to take at least two months of paid time off at around 40 to 70 percent of current pay. But those parents would then have to delay retirement or reduce their Social Security benefits to cover the cost of the parental leave.

The Urban Institute found that taking 12 weeks at half pay would mean forgoing 25 weeks of retirement or reducing monthly checks by 3 percent.

It might not sound like much, but this sacrifice would disproportionately hurt the people who would benefit the most from a public family leave policy. Just 6 percent of the lowest-earning private sector workers get paid family leave through their employers, and low earners are also more likely to rely almost entirely on Social Security in old age.

The same pattern holds for women: They are far more likely to take unpaid leave from work, and Social Security will end up being the only source of income for about a quarter of them.

The plan also penalizes parents for each child by putting retirement further out of reach each time they take leave. Mr. Rubio has emphasized that his bill allows parents to “use their own money.” This perpetuates the idea that child rearing is an individual, not a collective, responsibility.

The Rubio-Wagner plan also neglects the most pressing reason people need paid leave: to recover from a serious illness or to take care of a sick or disabled family member. About three-quarters of those who take unpaid family leave do it for these reasons, not because they have a new infant.

There’s a better way to structure paid family leave: Instead of having parents draw on existing Social Security benefits, workers and employers could pay a tiny new tax alongside what they already pay into Social Security. This would create a fund for when they need leave to care for a new child, deal with a serious illness, or care for a sick or disabled family member. It’s the strongest way to gird families against “the social insecurity of our time,” as Mr. Rubio and Ms. Wagner have described it.

This approach, supported by Democrats, has already gotten a fair amount of testing. The social insurance structure is the overwhelming favorite among other countries with paid leave programs. It’s also the one used in the six states that have passed their own programs. California, which was the first to do so, in 2004, found that the policy has encouraged more people to take leave and has not destroyed businesses.

**Paid family leave's moment has arrived. It has bipartisan support, not just in Congress but among voters. But unless lawmakers come up with a better plan, they will miss a rare opportunity to get it right.**

Bryce Covert is a contributor at The Nation and a contributing opinion writer.

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A version of this article appears in print on Aug. 13, 2018, on Page A21 of the New York edition with the headline: The Wrong Fix for Family Leave