



Aleksandra Holod, Jingyan Xia,
Sami Kitmitto, and Krishna Winfrey
American Institutes for Research

Erica Gunderson and Nancy P. Gordon
Kaiser Permanente Northern California
Division of Research

Inequality in Access to Family Leave in California

This policy brief examines inequalities in California mothers' access to family leave benefits, by income and race. The brief relies on data from the Family Leave and Health Outcomes Study, which was conducted jointly by the American Institutes for Research and Kaiser Permanente Northern California, Division of Research, to learn about California families' experiences with family leave and their subsequent health. We explored California mothers' awareness of, eligibility for, and use of family leave benefits, including paid leave and job-protected leave afforded under state and federal policy.

Family Leave Policy in California

At the time of this study, California's Paid Family Leave (PFL) program, in combination with the State Disability Insurance program, provided working mothers with up to 55% of their base wages for at least 12 weeks following the birth of a child (Milkman & Appelbaum, 2013).¹ Mothers were also covered by the federal Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA), which require a mother's employer to hold her job for her until she returns from 12 weeks of family leave. In this brief, we provide new data about awareness of and access to these family leave policies among women in northern California.

¹ As of January 1, 2018, the wage replacement rate was increased to 60–70%, based on pre-birth income (California Employment Development Department, 2019). On July 1, 2020, the length of the combined minimum benefits offered through the PFL and State Disability Insurance programs will be extended from 12 to 14 weeks (California Senate Bill No. 83, 2019).



Data From the Family Leave and Health Outcomes Study

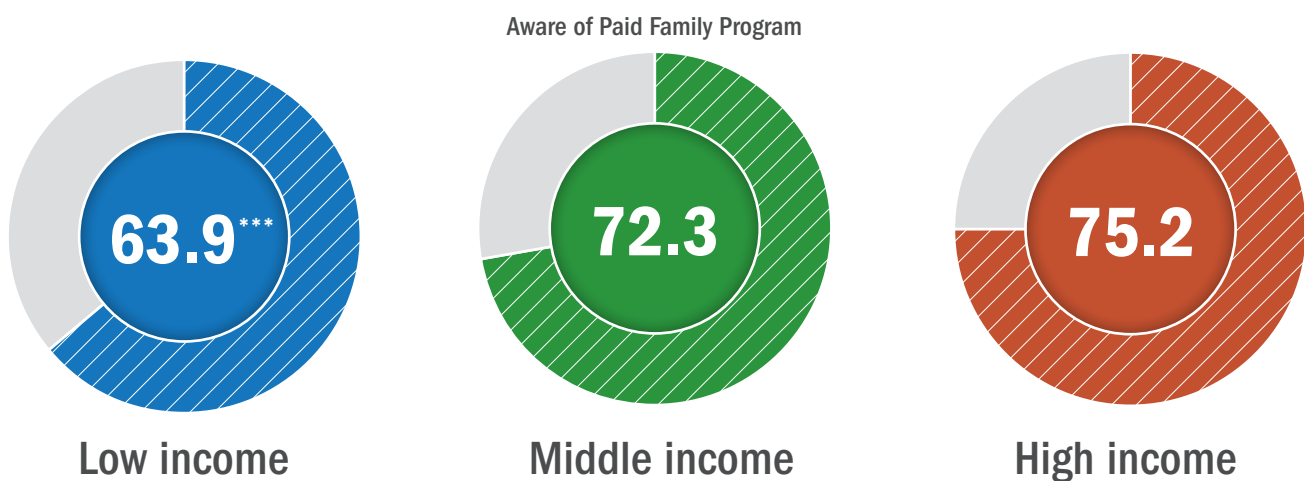
The Family Leave and Health Outcomes Study, conducted from 2016 to 2019, gathered data from approximately 2,000 new mothers who received their healthcare from Kaiser Permanente Northern California. This retrospective study surveyed mothers about their employment, income, experiences with family leave, and demographic characteristics. Mothers were surveyed between 1 and 2 years following the birth of their child.

We calculated each family's income as a percentage of the federal poverty threshold to provide a measure of family need for financial support. In 2016, the federal poverty threshold was \$24,300 for a family of four (U.S. Department of Health and Human Services, 2016). An income-to-needs percentage of 100% indicates a household income that was equal to the federal poverty threshold, and 200% indicates a household income that was twice the federal poverty threshold. We categorized families in our study into the following three groups based on these percentages: low income (less than 200%), middle income (200–400%), and high income (over 400%). All analyses discussed in this brief were limited to women who worked prior to giving birth.

Differences in Family Leave Benefits by Income

We found that access to family leave benefits was associated with income: Women in low-income households were less likely to be aware that they were eligible for paid leave through the PFL program than women in higher income households. In our study, only 63.9% of women in low-income households were aware of PFL, compared to 72.3% of women in middle-income households and 75.2% of women in high-income households (Figure 1).

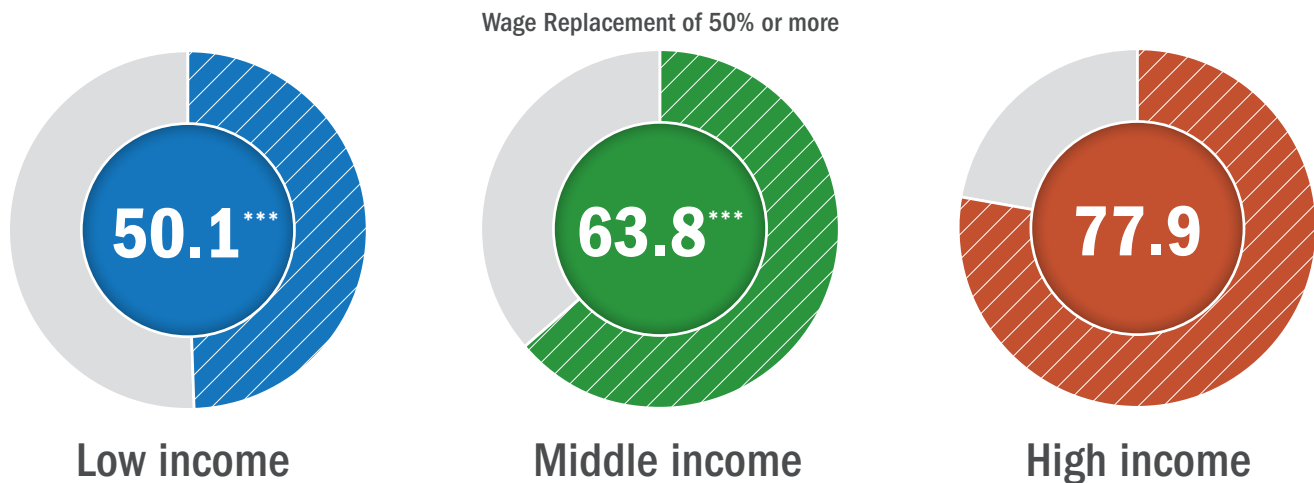
Figure 1. Women in Low-Income Households Less Likely to Be Aware of Paid Family Leave



Note. *** $p < .001$. $n = 1,698$. High income is the reference category for statistical testing.

During family leave, women in low-income households received lower rates of wage replacement as a percentage of their pre-birth income. Because the California PFL program provided benefits equivalent to 55% of pre-birth wages at the time of our study, replacement income below that percentage suggests that women did not access the PFL program and relied on other benefits instead, such as paid vacation or sick leave, or other employer-provided benefits. Only 50.1% of mothers in low-income households and 63.8% of mothers in middle-income households received at least 50% wage replacement, compared to 77.9% of mothers in high-income households (Figure 2). In other words, women who were most economically vulnerable received the least support during maternity leave.

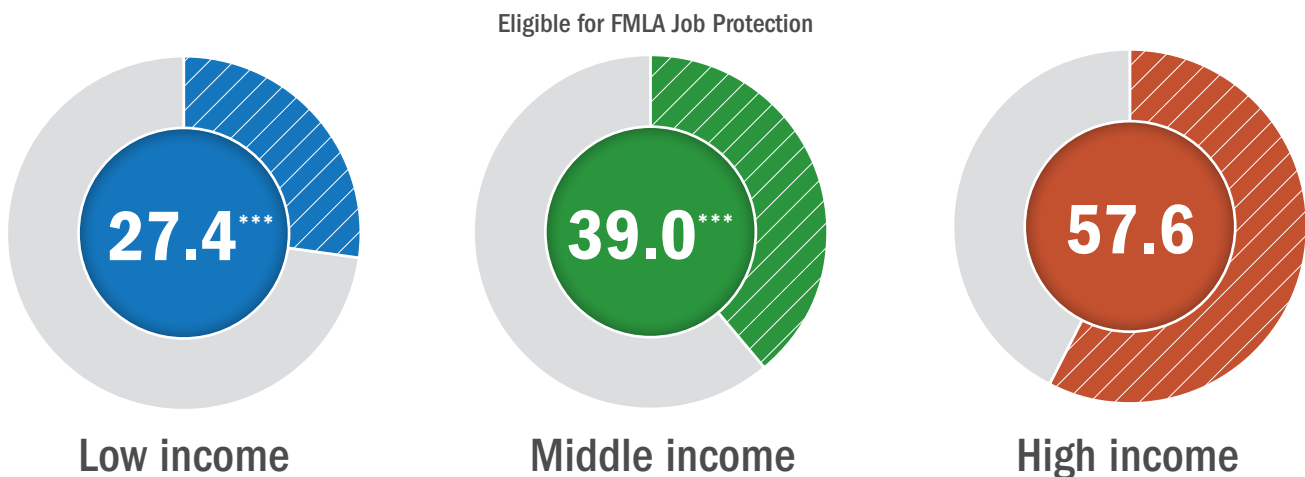
Figure 2. Women in Low- and Middle-Income Households Less Likely to Receive Wage Replacement of 50% or More



Note. *** $p < .001$. $n = 1,749$. High income is the reference category for statistical testing.

Mothers' access to job-protected leave also differed by income, with women in low-income households experiencing less access to job protection than women in middle- and high-income households. Eligibility for job protection under FMLA and CFRA is based on job tenure, hours worked, and employer size. In our study, just 27.4% of mothers in low-income households and 39.0% of mothers in middle-income households were eligible for job-protected leave, compared to 57.6% of mothers in high-income households (Figure 3).

Figure 3. Women in Low- and Middle-Income Households Less Likely to Be Eligible for FMLA Job Protection



Note. *** $p < .001$. $n = 1,706$. High income is the reference category for statistical testing.

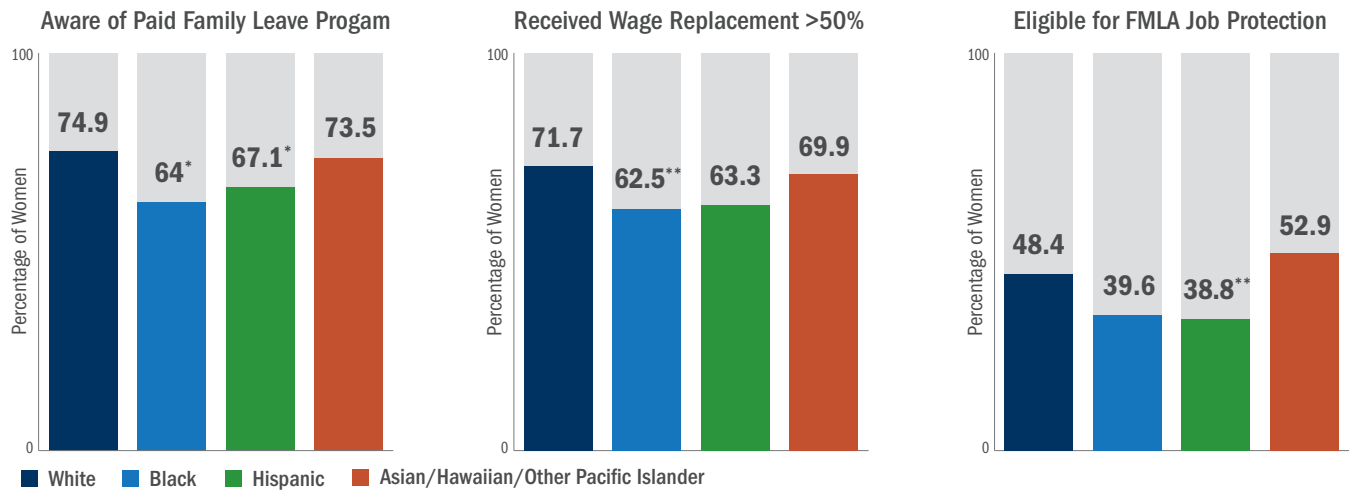
Differences in Family Leave Benefits by Race/Ethnicity

We found significant differences in access to and use of family leave benefits across racial and ethnic groups. Both Black and Hispanic mothers were less likely to be aware that they could receive benefits from the PFL program than White mothers. Only 64.0% of Black mothers and 67.1% of Hispanic mothers were aware of their eligibility for wage replacement under PFL, compared to 74.9% of White mothers (Figure 4).

Black mothers were also less likely to receive wage replacement of at least 50% during their family leave: 71.7% of White mothers received

wage replacement equivalent to the benefits of PFL, compared to 62.5% of Black mothers. We also found racial disparities in access to job-protected leave under FMLA. While 48.4% of White mothers in our study reported that they were eligible for job-protected leave under FMLA, only 38.8% of Hispanic mothers met the eligibility criteria (Figure 4).

Figure 4. Black and Hispanic Women Less Likely to Receive Family Leave Benefits



Note. * $p < .05$; ** $p < .01$. For PFL awareness $n = 1,711$; for wage replacement $n = 1,425$; for FMLA eligibility $n = 1,718$. White is the reference category for statistical testing.

Conclusion

Although nearly all mothers in our study had access to California’s PFL program following the birth of a child, women in low-income households, Black women, and Hispanic women were less likely to be aware that they were eligible for paid leave, and in some cases, they were less likely to receive paid leave benefits. These findings echo those from previous research. Nearly a decade ago, for example, Appelbaum and Milkman (2011) found that minority women and women in low-income households were less likely to be aware that they were eligible for the PFL program. The results presented in this brief suggest that more outreach is needed to raise awareness of the PFL program. We also found that mothers in low-income households and Hispanic mothers were less likely to qualify for FMLA than other mothers. To provide more equitable access to job protection, policymakers may wish to re-examine the eligibility criteria for FMLA and CFRA.

References

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