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Work and Family in America: Growing Tensions between Employment Policy and a Transformed Workforce

Ellen Ernst Kossek

> Housekeeping may still be the main occupation of American women, but it is no longer the only occupation or source of identity for most of them. In the past, a woman's sense of identity and her main source of satisfaction centered on her husband's job, the home, and the family. Today, there are alternatives opening to increasing numbers of the female population. In addition to the fact that half of all women between the ages of 18 and 64 are presently in the labor force, Department of Labor studies show that 9 out of 10 of women will work outside of the home at some time in their lives.
>
> The clear fact is that keeping house and raising children is work—-work that is, on the average as difficult to do well and as useful to the larger society as almost any paid job involving the production of goods or services. The difficulty is not that most people don't believe this or accept it (we pay lip service to it all the time) but that, whatever our private and informal belief systems, we have not, as a society, acknowledged this fact in our public system of values and rewards. *Work in America* 1973:56–57, 179

About 30 years ago, the *Work in America* (1973) report noted the countervailing trends of growing numbers of women juggling work and family (W–F) coupled with ambivalence over societal support of domestic and caregiving work. Kanter (1977) articulated the "myth of separate worlds" between work and family—the notion that workplaces often are designed as if workers do not have families that compete for their attention and identities during working time.

Now, in the twenty-first century, these same issues are still largely unresolved and increasing in scope and complexity, while work-family tensions have risen for virtually all demographics and occupations across the nation. The need for policy innovation on a national level is highlighted by statistics showing trends where all workers will have some responsibility for managing care for a child, an elder, or a disabled family member (including self) at some point during their lifetime (see table 4.1).

Table 4.1 Summary of Demographic, Legal, and Social Trends Increasing Work-Family Tensions

Trend	*Supporting Statistics*
1. Transformati on of family economic household configuration: Dual earner family is modal American family	Employment Status of Parents with Children under 18 (rounded): • Two parent dual earner (41%), single mother employed (16%), • Two parent, husband sole earner (21%), two parent, mother sole earner (4%) • Single father employed (5%), unemployed single mother (7%), unemployed two parent (4%), unemployed single father (1%) (CPS, Bianchi, and Raley 2005)
2. Growth in nontraditional families	• A majority of adults will cohabitate with another adult for some life period. • One-third of all births occur now outside marriage • 40% of children will live in a cohabitating family and 50% of all children will live in a single parent household (usually female) before reaching 18 years old (Cohen 2002) • 15% of the workforce between 40–65 years are "sandwich generation" employees, who must manage care for both aging parents and financially dependent children or grandchildren (Ingersoll-Dayton et al. 2001; Nichols and Junk 1997)
3. Increase in employee caregiving responsibilities	• *80% of U.S. wage and salaried workers live with family members* and have immediate day to day family responsibilities when away from the workplace (Bond et al. 2002) • *Child care*: 43% workers report they have a child under 18 years living at home at least half the year • *Elder Care*: A third (35%)had significant elder care demands in the past year (reported by equal proportions of men and women) (Bond et al. 2002)
4. Population decline in replacement workers: From pyramids to pillars	One of the fastest growing U.S. population segments is individuals over 55 years old, and a workforce shortage is also predicted as baby boomers are reaching retirement. A 2003 SHRM report indicates that over the ten yeas leading up to 2010, the number of workers between 25 and 54 will increase by 5%, and the number of workers over 55 years will increase by 46.6%; 2003 fertility rates declined to 1.9 children in U.S. compared to 3.1 in 1976 (Riche 2006)
5. Rise in work hours and loads and work-family conflicts and intensification	• Couples in dual earner households averaged of 3932 hours in 2000, an increase of 300 hours (7.5 additional work weeks per year) since 1989 and equal to more than 2 full-time EU jobs (Mishel, Bernstein, and Boushley 2003) • U.S. workers worked an average1,978 hours per year in 2001 (Berg et al. 2004). Americans work the longest work hours in the world except Korea (OECD 2004) • 38% NSCW respondents state they must choose between advancing in their jobs or devoting attention to their families (Bond et al. 2002)
6. Growth in participation of women in labor force and key occupations, but varying by age of	• Since 1975, labor force participation of U.S. women with children under age 18 has increased from 47% to 78% (U.S. Dept. of Labor 2004) • Changing occupational profile of women in workforce; 39% of professional and managerial positions were held by women compared to 24% in 1977 (Bond et al. 2002)

Continued

Table 4.1 Continued

Trend	*Supporting Statistics*
children and marital status	• One-third of mothers with working husbands and children under age six did not work at all in 2002 compared to 80% of married women with children between 5–18 years (U.S. Bureau of Labor Statistics 2003; Riche 2006)
7. Increase in new work and career structures	• Growth in preferences for part time or reduced load work for some segments, e.g., NSCW shows that 25% of working women held part time jobs or jobs with reduced schedules as their main job compared to 9% of men. About two-thirds of women work part time and half of men do so by choice, even though 61% of part time jobs *often* received pro-rated health care and lower pay (Bond et al. 2002, 10) • Growing numbers of workers are delaying retirement or working part time in second career until their 1960s or 1970s as opposed to an up and out thirty-year career (Moen 2003)
8. Changing beliefs about gender roles and work-home relationships	• A Radcliffe Center and Harris poll (2000) stated that over four-fifths of men in their 20s and 30s believed that a work schedule that allowed for family time was more important to them than a challenging or high-paying job, a dramatic shift from earlier generations • In 1977, 74% of NSCW men believed that men should earn the money and women should stay home to take care of the children & the house compared to only 42% in 2002 • In 1977, barely half (49%) of men surveyed in the NSCW believed that employed mothers could have just as good relationships with their children as mothers who only work in the home in 1977. In 2002 that number had risen to nearly two thirds of men surveyed (Bond et al. 2002) • Men do between 38% and 40% of the domestic chores, if the statistic counts child care and not just housework (Lee and Waite, in press)
9. Technology and 24–7 global work blurring boundaries between work and home	• 15% of employed workers work or telework from home at least once a week (U.S. Census Bureau 2002) • Increase in major U.S. companies operating work sites overseas (e.g., India, China)

This chapter will show that while over the last 30 years employed workers' responsibilities for managing caregiving and domestic life have generally increased and some policies have been formally adopted, an implementation gap remains where U.S. public and private W-F policy is out of sync with labor market developments. The failure of the U.S. to develop a coordinated W-F policy through federal and state, public and private partnerships and to move toward some new collective cultural solutions for W-F conflects may impact the long-term competitiveness and resilience of its workforce.

This chapter unfolds as follows: I provide a brief overview of the current U.S. W-F policy approach. I then discuss historical, demographic, and legal, developments since the 1973 report. I review three main content areas of organizational support for work and life and discuss implications for employment policy. Overall, I argue that

administrative, legal, and cultural employer practices pertinent to work and family are significantly lagging behind societal changes (Kossek 2005).

U.S. Work and Family Policy Overview

U.S. Macro Approach

Relative to other industrialized countries, the United States is unique in providing limited public supports for employees' work and family demands and in heavily relying on a patchwork system of voluntary private employer supports (such as flexible work schedules, leaves, childcare and eldercare, vacation and sick time, healthcare) that are mostly available from larger firms (Kelly 2006). The main national U.S. policy, the Family Medical Leave Act (FMLA), which provides only 12 weeks of *unpaid leave* to care for a child, elder or self, because of workforce size (minimum 50 employees) and other limitations, in practice covers only about 11 percent of the U.S. workplaces, which employ about 58 percent of workers (Canter et al. 2000). In contrast, countries in the European Union (EU) provide 14 weeks *paid* leave to mothers, and most offer additional partially paid parental leave (Kelly 2006). In most EU countries, childcare for children under age three is a public service, and the government often trains, employs, and subsidizes childcare workers (Kelly 2006).

Internationally, the United States is distinctive in following what Block, Berg, and Belman (2004) refer to as "a minimalist market-based employer approach," where an unregulated free-market labor economy is viewed as efficient and fair. Employers have wide latitude to determine the degree to which they will support workers' family needs. Block and colleagues see the U.S.'s individualistic cultural generally valuing a limited role for government regulation, with caregiving decisions left up to the discretion of individual employees and employers, as a barrier to policy innovation. Today, in the United States, the lack of a strong collective voice (like the voice the unions in the EU provide) that speaks for workers' social issues at corporate or government levels is identified as another barrier.

Leaving the nation's W-F policy to the voluntary *noblesse oblige* of employers presents long-term risks to labor-force quality and the nation's health. While some workplace practices such as flexible work schedules have the potential to directly increase employer competitiveness, raising talent attraction and retention and reducing absenteeism, others, such as investing in the quality of childcare and eldercare in a community, are unlikely to be self-funded. The direct payoffs to individual companies from improving the quantity and quality of care in a community and investing in the well-being of elders and children has diffuse, long-term, and indirect impact on the bottom line.

Without a significant national public policy initiative, corporate leaders and workforce experts are unlikely to see the urgency or economic benefit of significantly redesigning and changing workplaces to place family and job demands on more equal footing as employee investment and retention strategies, let alone as a social responsibility. The need for employers to more fully adapt to the transformation of work and family relationships is occurring at a time when many face hypercompetitive global markets and eroding profits. Employers are cutting headcount, pensions, and healthcare obligations and reconfiguring employment structures to reduce long-term relationships (Tsui and Wu 2005).

Workforce Needs, Access, and Utilization

Although, as table 4.1 in the next section shows, the problem of effectively managing breadwinning with caregiving has become a critical concern across the entire gamut of contemporary U.S. workforce, it is important to note that most labor market segments are simultaneously facing both cross-cutting and distinct issues. Crosscutting workforce issues include (1) the cultural mainstreaming of W-F tensions as a shared employee concern, (2) growing financial costs of caregiving, (3) a time famine, (4) rising employee workloads at work and home, and (5) tensions over scheduling conflicts and boundaries between work and nonwork life. Distinct issues pertinent to specific labor-force groups are (1) diversity in job and family demands and control over work hours and schedules, (2) disparities in access to personal, employer, or governmental supports for W-F integration, and (3) the effects of these discrepancies on physical and mental health, labor market readiness and participation, and performance at work and home.

Much of this variation correlates with the workers' gender, family type, socioeconomic background, disability status, race/ethnicity, occupation, and employer (DHHS 2004). For example, the working single mother of a newborn child is actively involved in caregiving and domestic life while off the job, and she may rush from work to breastfeed an infant, while her coworkers may not. Thus, some employees get off work and arrive home to work an intense "second shift" (Hochschild 1989). As work demands or hours increase, they limit the time, energy, and emotional resources workers have to devote to taking care of their family demands, and their abilities to recover from the previous day's work to be able to focus on the next.

Employers' provision of flexibility in working schedules, workloads, leaves, and careers can ameliorate some of these tensions, yet there is wide variation in the workforces' access to policies—for example, adoption of W-F policies varies by job groups and industry. According to the BLS National Compensation survey (2000) employers in service industries are 2.5 times more likely to offer childcare assistance than those in manufacturing. BLS also reports that professional and technical employees are twice as likely as clerical and retail employees and 5.5 times more likely than blue-collar and service workers to have access to childcare assistance. Overall, lower-paid jobs (such as retail or clerical) with less flexible schedules and lower pay and benefits are disproportionately held by people of color, women, and low-income workers, thereby resulting in less access to resources for W-F integration (DHHS 2004). Many workers with the greatest needs for employer support are likely to find it least available.

It is important to emphasize that even with growing interest in W-F policies in the United States, the adoption of formal policies does not necessarily create a family-friendly workplace. In many workplaces, there are gaps in management and organizational cultural support, and uneven in implementation across work groups. Further, well-intentioned policies (such as FMLA) may not meet the specific needs of workforce segments. For example, low- and middle-income workers may not be able to afford to take unpaid leave to use the policy. Career-oriented workers face backlash from using available flexible career policies. Professionals and managers often have careers that require high commitment, and the need for constant updating of skills may create barriers to using leaves or reduced-load work followed by reentry into the fast track. The way they are currently designed, jobs with direct customer contact or on the assembly line often have limited flexible scheduling.

Many human resource structures are based on outmoded conceptions of "ideal workers." Ideal workers are defined as those who do not let family and personal

responsibilities influence their hours at work and their commitment to the job, are rarely late to or absent from work, and do not interrupt or slow their careers (Williams 2000; Moen 2003). More critically, there is a disconnect in effectively linking W-F policies to other essential employment policies, ranging from pensions to healthcare to the daily management of coworker and client interactions. For example, allowing workers to have phased retirement or to work part-time at other periods in their careers may have implications for wage penalties due to gaps in employment, benefit eligibility, and pension computation.

Developing job sharing, cross-training, and back-up support is needed to redesign work systems to allow flexibility and work group effectiveness. Yet most policies are implemented as individual initiatives rather than as a group interventions. In order to develop strategic directions that U.S. employment policy needs to take, it is important to first understand historically where we have come from over the last three decades.

Work and Family since 1973: The Rise of a Major Employment Concern

Historical Background

Managing daily stress between work and family, though portrayed in U. S. culture and media as a relatively new and unusual problem, has for long been a part of the American workplace, a part that is neither new nor unique (Pitt-Catsouphes, Kossek, and Sweet 2006). Historians remind us that from colonial times, many Americans from colonialists to slaves to Native Americans had little choice but to juggle family and economic pursuits (Boris and Lewis 2006). What has changed dramatically since early times and even since 1973, though still in its infancy, is the emergence of "work and family" as a defined and mainstreamed employment issue. It is no longer viewed as a problem limited to a small female labor force segment, families in poverty, or single parents who have no choice but to combine breadwinning with caregiving.

Though this change in the popular meaning of employer responsiveness to work and family can be a positive force for workplace change, it is important as we move forward not to discount the unique challenges faced by specific workforce segments (such as single and dual earner parents, older workers, welfare-to-work participants, high-talent professionals, and so on). The challenge for policymakers is to recognize that workplace solutions need to not only be broad-brushed and comprehensive, but also implemented in ways that can be customized to empower and meet the special needs of individuals and particular labor market sectors.

Work and Family as Depicted in Work in America Reports

Using examples from the landmark reports (O'Toole 1973, 1974) to depict the U.S. policy framework 30 years ago, we can say that references to what would be considered "work and family" issues today were thinly scattered across several chapters. W-F was just beginning to appear on the radar screen of workforce experts, but it had not coalesced as a coherent employment policy domain. For example, in her chapter on "work, well-being and family," Rainwater (1974) considered part-time work, childcare,

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and flexible hours to support family life, with a focus on these policies' relevance for a "central provider." The assumption was that this someone who worked and needed flexible work schedules was a primary and often single breadwinner.

Another chapter, by Furstenburg (1974), titled "Work Experience and Family Life," centered on the effects of poverty and family instability (such as divorce or unemployment) on poor families, and the impact of a father's occupational status on economic and family well-being. A father's main role was seen as an economic provider. A third chapter considered increased labor participation of women, but little attention was devoted to professional or managerial jobs, as Sawhill (1974) observed that most of these were still held by men.

Quality of Work Life: W-F Policy Connections

O'Toole (1974, 1) aptly titled his edited book to emphasize "work and quality of life linkages," as "the institution of work was seen as a lever to improve the quality of an employee's overall life." Similarly, I see the effective implementation of "work and family policies," defined as formal and informal employer support for the integration of work and family life, as a key subset of quality of work life. W-F policies send a critical message regarding the level of respect for the employee's individual needs and the degree to which workers are seen as valued resources. If one is experiencing constant stresses and tensions between work and nonwork and unable to develop positive relationships between these roles, then one is not likely to have a high quality of work life (QWL). As discussed below, much of the QWL movement focused on issues of relevance to work-family and work-nonwork integration.

An excellent book by Bohen and Viveros-Long (1981) captured the thinking of policy experts at the time that lead to the creation of a Federal Family Impact Seminar in 1976. The seminar was created in recognition of the dramatic changes in relationships between work and family, the central "role of work in the whole of peoples' lives" (60), and the critical linkages between "the well-being of families and the well-being of society as a whole" (37). Its goal was to examine the impact of employment policies on families of government workers. As the largest employer of the United States, the government was seen as a key field site for employment policy analysis and the implementation of model practices to promote change. Initially, four employer policies were seen as critical for study: childcare, working hours and work schedules, job relocation and transfers, and "quality of work life" (QWL).

QWL analyzers asked, "What is the environment of the job—intellectually, physically, socially and physically?"; and "How do these job qualities and policies affect family well-being?" (6; 98). QWL became a symbol of work redesign initiatives that enabled employees who lacked strong empowering voice to suggest improvements that would humanize their working conditions and enhance job quality. Central considerations to designing work for job enrichment involved greater worker control over job conditions and autonomy. Greater flexibility for workers' scheduling needs and facilitation of worker-dependent care and child-rearing demands were also a key to many of these efforts. Ironically, these same calls to link improvement of the interaction between work and family to work redesign efforts are even today being viewed as somewhat revolutionary concepts (see Rapoport et al. 2002).

Over the next few decades, the federal government became a leader in providing on-site childcare and workplace flexibility (e.g., the U.S. Post Office and World Bank).

But eventually the Family Impact Seminar decided to abandon focus on QWL, as it was seen as "too amorphous" and "basically the Boy Scout Oath . . . applied to work organizations" (Bohen and Viveros-Long 1981, 8). Paradoxically, the statistics provided in the next section show that these same issues—of the need for greater employee control over work conditions and schedules, increased availability of quality and affordable dependent care, and difficulties in rallying policy reforms around a broad and ambiguously defined problem—remain, despite heightened relevance.

Moving From QWL to Work-Family to Work-Life

The term "QWL" has now been replaced with "work-life," the accepted moniker indicating that all employees, even those without families, may experience tensions between work and personal life (Kossek and Lambert 2005). This mainstreaming of work and life as an employment issue is useful for gaining broad acceptance and increasing resource allocation to institutionalize policies. It is somewhat reminiscent of early diversity efforts that first started to appear in the 1980s. Employers adopted publicity efforts to garner support for diversity policies by indicating that all employees are diverse in one way or another and can benefit from better management of multiculturalism.

However, policy experts should take care not to downplay the cogent fact that employees with dependents (elder, spouse, or children) or personal health disabilities face significant unmet caregiving challenges and constraints both at work and home. One problem that limited W-F policy development on the employer side of the equation is the field's lack of clear boundaries coalescing around well-defined interventions and outcomes (Lambert and Kossek 2005). This lack of definition runs the risk of work-family/life policies being called everything and then nothing, not unlike some of the problems in institutionalizing and developing focused national policy for the QWL movement.

In the 1970s, leading employers became cognizant of labor market shifts that suggested that work and family relationships were intertwined, and so they began providing support systems ranging from flexible work arrangements to caregiver replacement benefits while the individual worked. Although growing in availability on paper, as noted, many of these formal policies are not well linked to the way work is carried out or to important outcomes from the business, family, and health research literatures such as productivity, performance, stress, well-being, health, and safety (Kossek and Ozeki 1998; 1999; Hammer and Kossek 2005).

Further, the prevailing policy view of W-F supports is a somewhat simplistic treatment—the mere existence of policies in an organization is seen as leading to positive outcomes for both the organization and the individual (Ryan and Kossek 2003). Overall, despite increased employer interest in work and family, formal workplace support is uneven, linkages between job design and working conditions are minimal, and policy implementation is often ineffective.

National Statistics on Demographic Shifts: Rise in U.S. Labor Force's Work and Family Tensions

The most recent National Survey of the Changing Workforce (NSCW), conducted by the Families and Work Institute every five years since 1977, shows that most

individuals are juggling work and care for children, spouses, or elders, and about half (45 percent) reported some or a lot of interference between work and personal life (Bond et al. 2002).

Table 4.1 summarizes nine main trends explaining the rise in work and family as a national policy concern with supporting statistics. The overall implications of these trends are that there is a dramatic increase in workers who are experiencing increased W-F stresses, in an era of rising work demands, potential future labor shortages, and transformed relationships between work and home. These trends are seen in the transformation of the American parental household, where the dual earner family is the modal American family; growth in nontraditional families; increasing caregiving responsibilities for all workers at some point over their lifetime; decline in the population of replacement workers; rise in work intensification and hours; growth in women's labor force participation across occupations; growing acceptance of new work structures and ways of working; changing beliefs about gender roles and work-home relationships; and the rise of technology and with it the blurring of boundaries between 24-7 work and home.

The latter issue, the increased blurring of boundaries between work and home for many individuals, is a problem that has been underexamined by employers (Kossek, Lautsch, and Eaton 2005a and b) and merits additional discussion here. Although most policy experts have focused more on how to reduce barriers between work and family, it is important to also consider the potential downsides of increased interspersion of work and family. Technological tools such as e-mail, pagers, laptops, cell phones, and global 24-7 workplaces have made work constantly accessible to employees and encourage overwork. These same technologies also make most workers more accessible to their family members, enabling workers to try to multitask work and family roles. Individuals can try to stay connected to family when at work (e.g., managing an elder or child caregiver problem via a cell phone). Conversely, employees can stay connected to work when at home (e.g., checking e-mail while cooking dinner or watching the kids outside). Though this has the potential to increase emotional, physical, and behavioral conflicts between work and home, more and more individuals are trying to multitask work and personal needs.

All these technological changes have led to a general intensification of the pace of work and the pace of family life in United States. We are at risk of becoming a society that is much overloaded and knows not how to relax. For example, a recent *Fortune* magazine article reports that firms in consulting, law, and investment banking have built 80-hour weeks into their businesses (Miller and Miller 2005). The United States is renowned for taking fewer vacation days (average 13 days per year) compared to other industrialized countries such as Italy (42), France (37), or the U.K. (28) (WTO 2005).

Many firms have adopted a "use it or lose it policy" on vacation time, which has resulted in many workers not using their vacation. Workers are afraid to take their whole vacations, and some may even feel pressured to work during vacations (Kossek et al. 2005a). These individuals fear losing their jobs or being overwhelmed when they return from vacations to face thousands of e-mails and piled up work (Kossek, Lautsch, and Eaton 2005). For lower-level workers, lack of vacation is also a problem, as many firms have a minimum seniority policy before workers can even qualify for vacation and sick time. This means less senior workers have problems in caring not only for themselves, but also for their families during the workweek.

Even the elite labor force of the United States— its future top talent and leadership—has concerns about how to juggle work and personal life. Recently, the

New York Times ran a front-page story quoting a survey that found that despite making up half of the current student body, most female undergraduates at Yale planned to put their careers aside in favor of raising children (Story 2005). Similarly, the national media has featured articles about high-powered career women who voluntarily "opt out" of the rat race to become full-time mothers (Belkin 2003). U.S. Census Bureau reports show that the growth in women's labor market participation is slowing as the number of children being cared for by stay-at-home moms is increasing slightly, with the percentage of new mothers who went back to work falling from 59 percent in 1998 to 55 percent in 2000 (U.S. Department of Labor 2004), this is perhaps indicative of the problems with the current effectiveness of employer work-family supports.

Legal Developments

The United States has generally become more supportive of women's participation in paid employment and of fathers' involvement in early childcare over the last few decades (Lewis and Haas 2005). However, as noted at the beginning of this chapter, compared to other industrialized countries such as those in the EU, the United States is the only one that does not provide federal paid leave or public support of childcare for the general population (Stebbins 2001). Despite these gaps, under the guise of "gender equality" in employment, the policy of increased access to unpaid and paid maternity leave and flexible hours became more common starting in 1970s and 1980s (Cobble 2004).

Table 4.2 lists some of the main federal laws, and their coverage and concerns over implementation. For example, one of the main issues with FMLA is that many caregivers cannot afford to take unpaid leave and thus do not use the policy. Other problems noted by Block et al. (in press) are that of litigation. Given that most leaves are for personal health reasons and the term "serious illness" is ambiguous, it is not surprising that nearly one third of litigation has occurred over this issue. Wisensale's (2001, 172) survey of appellate cases filed in the late 1990s found that one fourth (25 percent) of cases challenged the seriousness of the employee's illness and another 6 percent questioned the seriousness of the illness of a family member being cared for.

Block et al. (2005), noted that federal law generally preempts state law, but states may adopt more generous legislation. So far only one state in the nation, California, has done so by adopting paid family leave in 2004. California law mandates employers to provide partial paid family leave to bond with a new child (birth, adoption, or foster), or care for a seriously ill relative (parent, child, spouse, or domestic partner) for up to $728 dollars per week for up to six weeks (Milkman and Appelbaum 2004; California Code).

As table 4.2 suggests, some of the problems with other laws is that only pregnancy discrimination is protected, yet many caregivers desire protection after they assume responsibility for the new dependent. FLSA does not regulate the right to refuse overtime, and more workers are being exempt from being paid for overtime. Besides ERISA's limiting part-time workers access to pensions, part-time work, which is one solution that enables caregiving, as well as phased retirement for older workers, faces many barriers. National Compensation 2002 Survey indicates that part-timers earn an average of 44 percent less per hour, $8.89 per hour compared to $15.77 for full-timers. Only 17 percent of part-timers have health insurance benefits. Another

Table 4.2 Overview of U.S. Work-Family Laws and Policy Implications

Law	*Coverage*	*Effectiveness Concerns*
Pregnancy Discrimin ation Act in 1978	• Passed as amendment to Title VII of the 1964 Civil Rights Act • Clarifies how employers should treat pregnant workers, such as not firing them during pregnancy if they want to work, viewing pregnancy as a temporary disability, and not setting arbitrary dates for unpaid maternity leave (Kulik 2004).	• Does not protect discrimination against parents • Does not enable flexible or part time hours • Many barriers to filing suit. Career oriented workers may not file lawsuits for fear of hurting reputation; low income workers may lack resources to file and fight employer
Family Medical Leave Act (FMLA) 1993	• Amended to allow most individuals at firms with at least 50 employees to be able to request up to 12 weeks of unpaid leave during any 12-month period. • Leave can be taken in any increments to care for a newborn or adopted child, a sick spouse or parent, or to cope with one's own illness. • Employers are mandated to continue health insurance coverage while person on leave, & must offer the same or equivalent position once an individual has returned from leave (U.S. Dept. of Labor, undated).	• Although primary FMLA Congressional rationale was to enable workers to take time off to care for a newborn or adopted baby without losing job security or health care insurance, in reality, act does not effectively cover what it was intended to cover (Block, Malin, Kossek, and Holt, in press.) • Reviewing Dept. of Labor Surveys, Canter et al. (2000) found the most frequent reason for taking a leave during last18 months was due to one's own health (52.4%). Less than one-fifth (18.5%) took a leave to care for a newborn, newly adopted, or newly placed foster child; 13% were taken to care for an ill parent, followed by an ill child (11.5%), and then for maternity-related disability (7.8%.) • Highest paid 10% workers not covered and may lose jobs if use. • Employers have discretion on how year is counted- calendar or actual; Many workers cannot afford to take unpaid leave.
Fair Labor Standards Act 1938	Requires employers to pay nonexempt employees 1.5 times wages for overtime work	• Does not enable workers to control work hours or place a cap on hours they work or refuse overtime • Numbers of workers of workers exempt from overtime pay is increasing (Kelly 2006) • Does not require payment for time not worked, such as vacations, sick leave or holidays (federal or otherwise). Benefits are under the discretion of employee and employer) http://www.dol.gov/dolfaq
Employee Income Retirement Security Act of 1974 (ERISA)	Regulates minimum standards for most voluntarily established pension and health plans in private industry. http://www.dol.gov/dol/topic	• Has thresholds of at least 1000 hours that prevent part-timers from receiving pensions • Only 21% of part-time workers are included in their employer's pension plan) http://www.mothersandmore.org/

59 percent receive health insurance through their spouses, but often pay for the extra coverage (http://www.mothersandmore.org).

Having reviewed these labor force, social, and legal developments, in the remainder of the chapter I review the three-legged stool of private approaches to work and family (policies, job conditions, and culture). I integrate implications for future employer policy with discussion of current firm policies and conclude with federal policy suggestions.

Employer Work and Family Support: Workplace Developments

From an employment perspective, "work and family" refers to three main policy areas (Kossek 2005; Kossek and Friede 2006). These domains influence the extent to which a workplace is designed to reduce conflicts and stresses between work and employees' caregiving and nonwork demands. They are (1) formal human resource policies and practices, namely work-family policies, and related benefit and career systems, to support the integration of paid work with other significant family demands; (2) job conditions and the structure of work, namely job design, work schedules, and terms and conditions of employment; and (3) informal occupational and organizational culture and norms.

Formal Policies

Examples of formal policies include but are not limited to flexibility in work time, place, or load; direct work life services for childcare, eldercare, or self-care; and information and social supports related to work and life integration. Some employers define work-family very narrowly and initially focus W-F policies on the most visible family needs such as parental roles. Progressive employers and those that become more experienced with work and family over time often broaden policies to support participation in many nonwork roles and identities. These include eldercare, community service, school age children's extracurricular activities and supervision, personal healthcare and fitness, military, political and religious activities, domestic partners, and household care (Kossek 2005).

Employer support for work and family may have been overstated in the current media and as noted earlier varies greatly in terms of access across workforce groups (Kossek 2005). Most research is conducted at large employers, yet 80 percent of U.S. firms have fewer than 100 employees (U.S. Bureau of the Census 2001) and are less likely to provide family-friendly supports. For example, the National Compensation survey conducted by the Bureau of Labor Statistics (2003) shows that 25 percent of employers with more than 100 workers provide some assistance for childcare, compared to only 5 percent for firms with less than 100 workers.

Using childcare benefits as an example, to be counted as provided, "employer childcare benefits" can be as minimal as providing an employee with lists of state licensed childcare providers. Twenty percent of individuals in white-collar occupations have access to childcare support compared to only 8 percent of individuals in service and blue-collar occupations. Sixteen percent of employers in metropolitan areas provide childcare assistance compared to only 4 percent of rural employers. Overall, wide variation exists in employer support based on size, location, and worker wage level and occupational status.

There are considerable problems in the way in which many employers approach the work-family issue. For one, many companies view W-F policies as a support system that mainly benefits the workers and not the company. This leads companies to resist wanting to innovate in times of cost-cutting. Also, many companies heavily outsource W-F policies to benefits consultants. This may result in W-F issues becoming disconnected from mainstream human resource strategy. These benefits-consulting firms, while well intentioned, are receiving millions of dollars for services that are not open to government or academic scrutiny. Many companies adopt W-F policies that are being sold by consultants without conducting a needs assessment of their particular workforce or having some serious management conversations as to how W-F supports relate to HR strategy and how these will be valued in the corporate culture or linked to the way work is being managed and carried out.

Employers must be willing to be more open to public research scrutiny and collaboration. Currently, considerable research is being conducted by work-life consultants and nonprofit research organizations, which are not strongly attached to universities or the public sector. While most of these research institutes and consulting firms have made significant contributions to the work and family field and in some cases provided some of the best existing research on work and family (e.g., the NSCW), more public and university research partnerships need to be integrated with these endeavors if we are likely to make major advancements in national policies. There is a lot of data on companies that is simply not in the public domain and measures of effectiveness are not being shared to benchmark firms.

As a result of the way current policy evaluation is done, much of the research on work and family is heavily flawed in several ways. The research studies are cross-sectional in nature and lack control groups of users and nonusers of different policies. Studies often lump all work family policies in a bunch and fail to distinguish effectively between the work and family effectiveness of different policies (Kossek 2005). This should cause employers great concern—they are spending a lot of money on programs or consultants who have little accountability to ensure policy effectiveness. Notwithstanding these weaknesses, there are potential benefits to employers when policies are effectively implemented.

Studies show that W-F policies can positively affect employee loyalty (Roehling and Moen 2001), organizational productivity (Konrad and Mange 2000), turnover intentions (Rothausen 1994), absenteeism (Dalton and Mesch 1990), and commitment (Grover and Crooker 1995); flexibility to take on new assignments, help others, and make suggestions (Lambert 2000); and organizational performance (Perry-Smith and Blum 2000). One study comparing users and nonusers of quality, employer-subsidized, on-site childcare found users were much less likely to turnover and more likely to return from maternity leave within a few months (Kossek and Nichols 1992). Another study on linkages between employer policies and return to work after maternity leave found that the willingness to refuse mandatory overtime and supervisor and coworker support predicted employee retention (Glass and Riley 1998).

I believe flexibility policies that give workers more control over their schedules, loads, hours of work, and the right to refuse overtime hold great promise for improving attraction and retention, for worker morale, and for reducing fatigue and detrimental work behaviors such as accidents, stress, and mistakes. Absenteeism may also be reduced, because workers can restructure their day to squeeze parent conferences and medical and domestic appointments into their days off. I would also like to see employers receive incentives for supporting the availability and quality of dependent

care in their community. Pensions and healthcare systems need to be reconfigured to enable flexibility in work hours, workload, and careers without undue penalty.

The way to make W-F policies work is to link them to work-redesign efforts that enable policies to be implemented as part of an organizational and work group cultural intervention. That means cross-training for workers, rewarding and socializing employees to volunteer to learn others' jobs and provide back up, and teaching managers how to plan ahead and redesign jobs to work well in a flexible work environment.

Employers also should start more systematically conducting their own policy evaluation following the old adage "what gets measured gets done." If W-F policies are not evaluated for effectiveness, there is little motivation to improve them. One way to do this would be to identify users and nonusers who have equal need for specific W-F supports and assess them for productivity.

Before adoption, needs assessments must be done to make sure the policies fit workforce needs. Once adopted, supervisors and employees must be trained in how to use and implement the policies, in ways that link them to how the work is carried out. Connections to existing HR systems are also needed, such as performance appraisal and pay systems. For example, a worker working part-time should not be expected to do the same amount of work as one working more hours, yet some companies may not adapt HR systems accordingly (Kossek and Lee 2005b).

As an example of this debate on linking study of the effectiveness of policy implementation to study of organizational culture, colleagues and I looked at managerial and HR systems from a research project funded by the Sloan Foundation on managing professionals in new work forms (Lee and Kossek 2004; Kossek and Lee 2005a; 2005b). Many human resource managers and departments are unaware of the degree to which flexibility policies were actually implemented in work units, since implementation is done according to management discretion (Friede, Kossek, Lee, and MacDermid 2004). Because of this, we focused on interviewing managers and organizations that had experience implementing these policies (Kossek and Lee 2005a; 2005b). Reduced-load work was found to be increasing in 60 percent of the firms interviewed six years later. Enabling professionals to have greater control over work hours or loads for a proportionate cut in pay was highly effective.

Part-time and reduced-load work hold great promise for retaining talent if companies can figure out how to offer employees the ability to switch back to full-time from part-time when they wish, or remain at part-time while still being seen as valued and high talent. Linkages to bonus systems, pay, promotion, and training needed to be reconfigured. For particularly large jobs, combining reduced-load work with a job share, even for managerial work, was highly successful. Companies that embraced new ways of working saw cost savings from the pay cuts, and they enabled departments to gain innovation from this talent as burnout was reduced and more creative suggestions were elicited from these workers. What is clear is that managers and workers need resocialization and help in implementing new ways of working in changing organizations.

Job Design and Employment Conditions

Job design and employment conditions include but are not limited to pay, work hours, job demands, health benefits, pensions, which may dictate the manner in which work and family roles can be combined, controlled, or performed in ways that

create psychological and/or physical distress as well as enrichment (Kossek and Friede 2005). For example, a single parent who works the second shift may find that her job design makes it virtually impossible for her child to participate in after school activities that require parent involvement. Or she may find that sick-care policies are not available unless she has minimum tenure, and even then she is reluctant to use them if she is not paid. Or pension systems may be designed to emphasize full-time employment with no breaks and upward movement. All of these policies are examples of working conditions that have adverse impact on employees with family demands. They create barriers that keep many employees from being able to work schedules or loads that enable them to dually care and financially provide for family.

Alternative work schedules (such as flextime, leaves, flexible place, flexible careers, and reduced time) are examples of policies that have been viewed as being both family-supportive and a term and condition of employment. According to the 2002 NSCW, in the United States, 74 percent of workers work regular day or night shifts, 9 percent evening or night shifts, 8 percent rotating shifts, 7 percent on call, and 2 percent split shifts. Fourteen percent of those considered to be working day shifts work at least one weekend per month. Overall, one in four workers works at least one weekend (Galinsky, Bond, and Hill 2004). NSCW also reports that about half (49 percent) of all U.S. employees would prefer to have a different shift from the one they have. Thus, not all alternative work schedules or nonstandard hours are necessarily preferred by workers or thought of as being family friendly. What seems to matter for well-being is workers' autonomy or latitude to truly control their hours, and their own and family members' satisfaction with their work schedules.

Another issue that has received mixed media reports is overwork. Gerson and Jacobs (2004) reported that some professional and managerial couples work a combination of more than 100 hours a week. Galinsky and colleagues (2004) found that time spent on unscheduled work hours (such as overtime, being called in at the last minute, working informally from home) has raised total work hours to the highest level ever. The average total weekly work hours was 46 hours in 2002 for men. (This included five hours more than the regular scheduled hours of 39.3 hours per week.) For women, the average was 39.8 hours, which was 3.8 hours more than the regular schedule. Galinsky and colleagues (2004) also reported that employees worked longer hours than scheduled in order to be able to keep up with their workloads (47 percent), be successful on the job (43 percent), make ends meet (37 percent), or keep their job (34 percent).

It is important to note that the workforce work and family needs vary across economic strata. Many low-skilled or unskilled workers would like to work more hours in order to be able to provide better for their families. The 2002 NSCW showed that 14 percent of workers needed to work two different jobs in order to be able to provide for their families. Another problem that low-wage workers face is that they can work for an employer that has award-winning policies on paper, but they cannot use these policies due to job or family constraints. This phenomenon has been termed "organizational stratification" of work and family policies (Lambert and Waxman 2005).

Yet studies have found low-wage and low-income workers are less likely to seek jobs with other employers when they have health insurance and childcare benefits (Bond 2003). Although low-wage workers are generally less satisfied with their jobs and more likely to seek other jobs than middle- and higher-wage workers, Bond (2003) argued that with access to flexible work schedules that they feel they can use without hurting job security or advancement, these differences virtually disappear.

Batt and Valcour (2003) examined relationships between general access to work-family policies, human resource incentives such as salary or work hours, and job design. They found that salary and work hours had a stronger relationship to W-F conflict and turnover than access to policies. These findings suggest that when implementing policies, employers need to consider the effectiveness of W-F policies as part of high performance work contexts (Berg, Appelbaum, and Kalleberg 2003). They need to think about how to implement W-F policies not as a separate benefit, but in terms of how they interact with overall work systems and conditions of employment ranging from work schedules to pay to job design to benefits.

Emulating Equal Employment Opportunity research on the adverse impact of seemingly neutral employment practices, employers should do an audit on the adverse impact of seemingly neutral employment policies and job conditions on the ability to care for or provide for one's family. For example, the pension example mentioned above may affect family retirement income and the ability to work part-time and accrue healthcare and other life benefits. The inability to participate in extracurricular activities may have a variety of negative consequences such as causing childhood obesity, family health problems, and parental stress. All of these gaps may hurt the bottom line by affecting healthcare costs and productivity.

Organizational Cultural Support for Work and Family

Organizational cultural support for work and family refers to organizational and professional cultures and norms that create stresses, social supports, and parameters shaping the ways in which individuals are able to carry out work and nonwork demands. Although the W-F literature has more often studied their negative effects, it is important to note that some of these effects can also be positive (e.g., healthy, safe, or diversity-friendly climates).

Organizational culture regarding W-F issues is defined as the "shared assumptions, beliefs, and values regarding the extent to which an organization supports and values the integration of employees' work and family lives" (Thompson, Beauvais, and Lyness 1999, 394). Organizational culture influences employer demands for long work hours, perceived job and career consequences for using informal work practices, and supervisor support of family needs. Thompson and colleagues (1999) found that a W-F supportive work culture was associated with increased employee use of W-F benefits, increased organizational commitment, decreased W-F conflict, and decreased intention to turnover. Kossek, Colqiutt, and Noe (2001) focused on positive cross-domain climate relationships between work and family and found that the ability to share concerns about work when at home or about home when at work was related to better performance and well-being. O'Driscoll et al. (2003) found that higher and more significant effects on employee well-being were more due to positive work and family culture than to the availability of formal policies.

Although many employers introduce work and family initiatives as mechanisms for reducing employee stress, by themselves these policies can be insufficient to result in significant reduction in stress. The fostering of an organizational culture that is widely perceived by employees as being supportive of work and family integration is a necessary condition for the reduction of work and family conflict and effective policy use.

Many employers have been slow to effectively implement formally adopted policies into the workplace culture (Kossek 2005). Since supervisors are often the gateway

to policy use, a critical challenge for companies is to more clearly define ways that supervisors can behave, ways that will enhance employees' overall feelings of support for family. Hammer and Kossek (2005) noted that it is not clear what behaviors supervisors should adopt and how to operationalize these to create employee perceptions of a supportive work and family culture. This is important for employers to understand in order to design and implement meaningful workplace interventions to support effective utilization of W-F benefits. Supervisors are the pathways to effective policy use.

Employers also need to change prevailing cultural assumptions that take for granted that if an employee is highly effective and has invested in a particular realm, such as work, then he or she will be less effective in the other due to a win-lose relationship. Yet it is important for employers to shift cultures to focus on how work and family can also enrich each other. For example, a positive experience at work or skills learned at work can shape effective behaviors at home—this is the idea of accumulative effects of work and family. Companies need to recognize that more and more of the workforce is dual-centric (Lobel 1991). Many individuals are placing work and family roles on an even keel. In their daily lives, it is increasingly important to many workers to be successful in both work and family roles simultaneously. Changing cultures to enable people to work fewer hours more effectively may increase productivity in the long run. Companies could use the cost savings to pay others, and workers might be more energized and engaged when at work.

Although unions are declining in percentage of the workforce, garnering cultural support from unions and culturally embracing access to W-F support as a collective benefit is important for future policy (Kossek and Berg 2005). Unions remain a powerful political force in this country, and an even more powerful force abroad as U.S. employers continue to globalize workforces. In the United States, unions historically have been slow to embrace flexibility, as it is viewed as mainly serving employers' interests. And effectively introducing flexibility may require treating workers individually rather than collectively. Consequently, interest of unions in the provision of W-F benefits (such as childcare, pay, healthcare) has been greater than in flexible work schedules. An exception is found in service industries such as healthcare that employ large numbers of women.

Overall, applying some concepts from a union perspective could be valuable for advancing cultural support for the implementation of flexibility and W-F policies in many firms. A union perspective will be more likely to be interested in ensuring equal access to publicly negotiated benefits to all workers who need them and in ensuring their equal treatment. Currently, some employers have preferred to provide access to flexibility to only the best workers. While flexibility should be viewed as a two-way street between employee and employer, its availability needs to be wider—encompassing all employees, not just the highest performers.

Companies need to culturally embrace a dual agenda, where workplaces are redesigned to benefit improvement in both productivity and in responsiveness to individual needs (see Rapoport et al. 2002). Lee and Kossek (2005), for example, found instances where reduced-load work was implemented into entire departments, at the same time that work systems were redesigned to actually improve productivity. In some cases, these new ways of working were linked to cultural shifts in the management system to have made a narrower span of control, such as job sharing in a managerial job. This prevented managerial overload and enabled better relationships between managers and workers.

Effectively implementing work-life policies requires a fundamental cultural change in the assumed hegemony of work and nonwork. Successful work-life policy implementation is an ongoing process and demands major culture change—referred to as second- and third-order culture changes (Bartunek and Moch 1987). Thus, it involves moving beyond the mere adoption of policies on paper to relearning how to work in new ways to link flexibility to, for example, how clients are served or workers are managed.

Suggestions for Future Federal Policy

A major national legal and public policy effort is needed. A key first step toward any future policy initiative is to simply educate employers and the public on what constitutes work and family policies and practices, and what are the indicators of effectiveness. We then need more visible national demonstration projects. It might be useful to offer development certification awards, following the success of the Total Quality Management and the Affirmative Action Movement. Employers who get large government contracts may be given incentives to show that they are going beyond the minimum legal requirements and are employers of choice in supporting work and family. Following the work of the seminar on early family impact, tool kits and training could be developed to help companies assess the direct and indirect effects of work practices on families.

The FMLA should be expanded to provide partial paid leave. Legal protections need to be developed to protect workers from losing their jobs by caring for an ill family member. Berg (2004) argued that the FMLA should be expanded to include regular school and medical appointments, and those related to domestic violence, even if the leave is unpaid. Berg (2004) also noted that some U.S. political leaders would like to see an expansion in the definition of family (to include domestic partners, for example) and monies provided to states to encourage experimentation with wage replacement during leaves.

Case law involving employer interpretation of employment policies that discriminates against parents and caregivers is growing (Williams 2000), and legislation protecting employees' parental and caregiving rights is needed. A key problem is that some of the legal policies that do exist are ineffective or out of date with current societal changes. For example, despite the increase in cohabitating families noted in table 4.1, many work and family policies still assume legal definitions of family, marriage, and parental responsibility based on formal birth or adoption rights. Legal gaps also remain for eldercare policy. Although most employed women provide eldercare for in-laws, the FMLA allows leave for the care of only one's parents, not one's in-laws. These legal definitions of family must be updated to account for the diversity of employees' family and personal relationships.

We need to improve the effectiveness of existing legislation and develop national, regional, state, and community initiatives to foster more effective support for work and family needs of the workforce. One way to improve support for caregiving is by providing public incentives for employers to subsidize quality care and other workplace supports that are customized to what workers want in their communities. For example, Steelcase had a program where they provided training and resources to increase the number of licensed family day care providers located in the community. The first group of recruits comprised of spouses and friends of Steelcase employees.

There could also be a national government initiative to give regional and employer awards for excellence in work and family policies and the development of national certification systems, not unlike the TQM movement of the 1980s. In order to be considered for some federal grants, the workplaces would need to be certified as being family-friendly. There also needs to be an increased federal funding for after-school care and childcare related to welfare, limits on work hours and mandatory overtime, mandated vacation and sick time, and pro-rated pension and health benefits for part-time workers (Appelbaum 2004; Berg 2004).

A focused national initiative must be conducted to distill the many statistics from all government sources to simply lay out the state of W-F policy and identify where policy gaps occur. This is necessary to make the case that change is needed clearer and more accessible to policymakers and the public. It might also eventually enable government monitoring, not unlike EEO and AA statistical tracking.

Conclusion

Leaving the responsibility to provide employer support for working families mainly dependent on the goodwill and economic health of U.S. companies may not be a wise national public policy. Kanter (2006) pointed out that if families do not perform their roles well (e.g., reproducing and socializing the next generation of workers), employers and the economy will suffer. The challenge that remains is how to create work environments that truly support, welcome, and include those who have different ways of working due to their family and nonwork demands. This objective is related to notions of the "inclusive workplace"—a growing concept in diversity management.

How do we enable all employees to bring the best of themselves to work when they are there, feel as if they are included in the workplace culture, and feel capable of focusing and caring about work outcomes? At the same time, how can employers address vital personal and caregiving needs that affect the development of our future workforce and the health of our nation? We need to bring the family more into the organization, while at the same time enable workers to control their personal lives as separate from work, so as to be able to focus on the family when needed—a particular concern in a 24-7 world. It is clear that significant gaps in the structural and cultural design of workplaces vis-à-vis the workforce's growing needs to have regular participation during the "established work day" in caregiving (childcare, eldercare, self-health care) and other nonwork demands not only remain, but are increasing.

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