ISSUE BRIEF

Paid Family and Medical Leave: A Racial Justice Issue – and Opportunity

AUGUST 2018

There is significant, growing attention to the lack of paid family and medical leave in the United States and the grave consequences it has for the country's families, businesses and economy. Discussions about how best to address the issue are increasing as well. But rarely are these policy conversations situated in the context of our commitment to opportunity and equality for people of all races and ethnicities, or the overwhelming evidence that shows stopping workplace discrimination is essential to the nation's overall health, economic and moral well-being.

The vast majority of working people in the United States – 85 percent – do not have paid family leave through their employers,[1] and the consequences for people of color are especially severe. This is, in part, due to past and present institutionalized racism that has resulted in significant health and economic disparities. This brief will describe these disparities to show that addressing our paid leave crisis is a racial justice issue that requires a carefully designed and implemented federal policy solution. Specifically, it will show that:

- Racial disparities in access to wealth and wealth building are compounded by a lack of access to paid family and medical leave;
- Disparities in access to other economic supports make it more difficult for families of color to absorb the financial shock of a serious family or medical need;
- People of color tend to receive lower quality health care services and experience worse health outcomes than white people, magnifying their need for paid family and medical leave;
- Race-based discrimination in employment persists, resulting in job insecurity and more barriers to economic security and advancement for people of color; and
- Women of color suffer most from the combination of these disparities and challenges.

The brief concludes that well-designed paid family and medical leave programs provided through public policies have the potential to strengthen families of color and build a stronger, more just nation.

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The Racial Wealth Gap

The gaps between the wealth of white families and Latino and Black families are severe and lack of access to paid family and medical leave makes them worse.

The typical white family has $140,500 in wealth – defined as assets minus debts – compared to $6,300 for the typical Latino family and $3,400 for the typical Black family.[2] (See Figure 1.) Studies show that, without intervention, children born today will not see those gaps close.[3] These racial wealth gaps exist because discriminatory policies and persistent racism have prevented most people of color from building wealth for generations. Historically, policymakers excluded families of color from accessing public programs that helped build the middle class, such as higher education assistance and financial aid, affordable mortgages to build home equity, low-cost consumer banking, and capital to start businesses.[4] For example, the Federal Housing Administration refused to insure mortgages in and near Black communities until 1968, and today, Latinos and Black people are still more likely to be denied conventional mortgage loans than white people with similar qualifications.[5] Educational and occupational segregation and other forms of discriminatory lending also impede families of color from building wealth – which is accumulated over generations – leading to the cavernous gap between the median wealth of white families and that of families of color. Because of this racial wealth gap, even middle- and high-income Black and Latino families tend to lack access to the forms of wealth that many white families are able to draw on in times of need.[6]

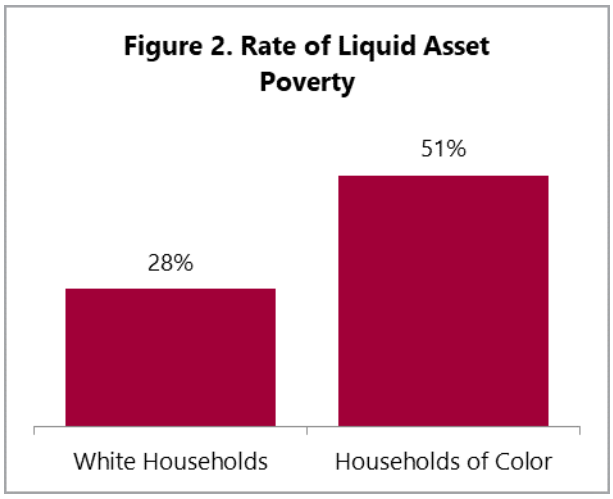
Asian and Native American families also face significant wealth challenges, but recent data are limited. The lack of disaggregated data for Asians means that the economic status of people with ancestry from nearly 50 countries is oversimplified. The Census Bureau's broad category "Asian" masks the diversity of communities that fall under that label, and wealth and income inequality within the category is substantial and growing.[7] Although the top 10 percent of Asians have more wealth than the top 10 percent of white people, the bottom quintile of Asians have less wealth than the bottom quintile of white people.[8] Native Americans are also often overlooked when measuring wealth. The most recent estimate of Native household wealth was $5,700 in 2000[9] and current economic indicators reveal that many Native households are struggling – more than one in four Native people are living in poverty, which is nearly twice the national average.[10]

Figure 1. Median Household Wealth by Race

Source: Prosperity Now. (2018). *Running in Place: Why the Racial Wealth Divide Keeps Black and Latino Families from Achieving Economic Security.*

The lack of access to affordable credit and financial security are also barriers to entrepreneurship, which, in turn, is a barrier to building wealth. People of color are underrepresented in entrepreneurship despite their reported interest in owning businesses[11] – and also experience many barriers to business ownership, including lack of access to wealth and discrimination from investors and lenders.[12]

The racial wealth gap means that families of color have, on average, fewer resources than white families to plan for and absorb the effects of a serious personal or family medical issue, including the birth or adoption of a new child. In fact, half of households of color live in "liquid asset poverty," which means they lack access to enough liquid assets – such as savings and publicly traded stocks – to live at least at the poverty level for 12 weeks. That compares to 28 percent of white households who live in liquid asset poverty.[13] (See Figure 2.) This means that households of color are nearly twice as likely to be economically insecure in the event of income loss than white households. These disparities persist even when considering education levels. For example, a recent survey conducted by the Federal Reserve Board found that 31 percent of Black people and 25 percent of Latinos with a college degree could not afford an unexpected $400 expense, compared to 16 percent of white people.[14] When unexpected family or medical events arise, wealth enables people to draw on savings, home equity and liquid assets, such as funds in checking and savings accounts. Additionally, wealth helps people maintain a good credit score, which is critical in accessing fair sources of credit. Because people of color have less wealth, less access to fair sources of credit and are often targeted by predatory lenders,[15] they may forego taking family or medical leave, which can result in even greater income losses or health conditions that become more serious.



Source: Prosperity Now. (2013). *Prosperity Now Scorecard, Financial Assets & Income.*

In short, paid leave would provide essential financial support and stability for families of color at critical times, helping patch one of the many holes in the safety net and providing an opportunity to break a cycle of lost wealth accumulation.

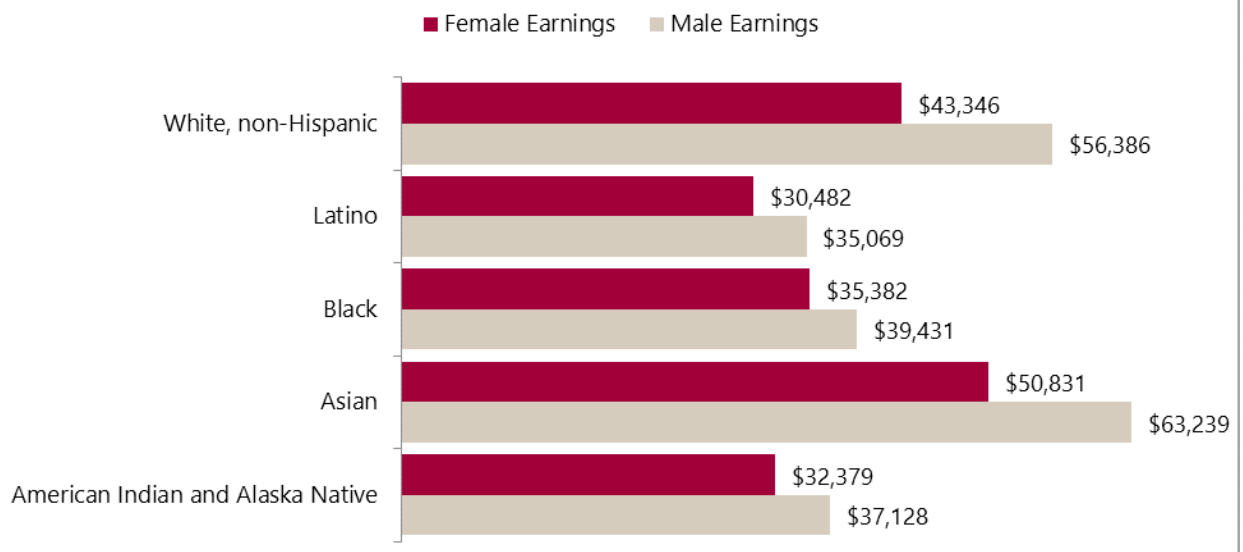
Disparities in Access to Other Economic Supports

People of color experience historical and policy-based barriers to economic security and stability, the effects of which are exacerbated when serious family and medical needs arise.

Similar to the racial wealth gap, the overall economic security of families of color varies by race and ethnicity. This variation exists, in part, due to the historical and political contexts in which different groups of people became part of the United States – including voluntary immigration, enslavement, seeking asylum as refugees and forced assimilation – and variations in how welcoming or punitive U.S. policies have been toward each of these groups. Discrimination in the workforce also contributes to these disparities, which is discussed in a later section. Compared to white people, Black people, Latinos and Native Americans tend, on average, to experience much higher rates of poverty and economic

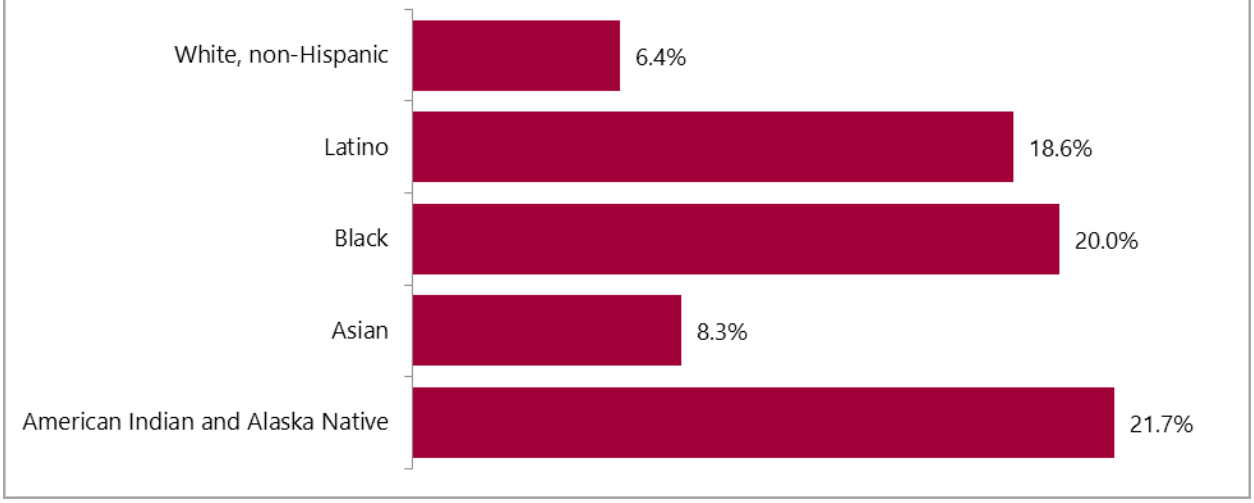
instability and are paid less (see Figures 3 and 4). Moreover, Black, Latino and Native workers who work full time, year-round are paid, on average, less than both white, non-Hispanic men and women who work full time, year-round.[16] The economic status of Asian Americans and Pacific Islanders (AAPI) is more varied, with some ethnicities of AAPI people faring much worse than white people, but disaggregated data are limited.[17] Overall, people of color are also more likely to be concentrated in low-wage and low-quality jobs that offer fewer protections and workplace supports such as fair scheduling and employer-based health insurance.[18]

Figure 3. Median Earnings in the Past 12 Months for Full-Time, Year-Round Workers by Race/Ethnicity and Gender



Source: U.S. Census Bureau. (2017). *Tables B20017B, B20017C, B20017D, B20017H, B20017I, 1-year estimates.*

Figure 4. Poverty Rate by Race/Ethnicity



Source: U.S. Census Bureau. (2017). *Table S1702, 1-year estimates*. Calculation uses "All families."

Overall, fewer than 60 percent of workers are eligible for unpaid family and medical leave under the federal Family and Medical Leave Act (FMLA).[19] Access is similar across races, with the exception of Latinos, who have much lower rates of access.[20] However, 62 percent of Black adults and 73 percent of Latino adults are either ineligible for or cannot afford to take unpaid leave, compared to 60 percent of white adults.[21] (See Table 1.) A recent study also found that Black and Latino workers are more likely than white workers to report that there was a time in the past two years when they needed to take leave for family or medical reasons but could not, most likely because they could not afford to go without pay.[22] (See Table 2.)

Table 1. Working Adults Who Are Either Ineligible for or Cannot Afford to Take Unpaid FMLA Leave, by Race/Ethnicity

Race/Ethnicity	White, non-Hispanic	Hispanic	Black	Asian
Cannot Take Leave	59.8%	72.5%	62.2%	58.1%

Source: Data Diversity Kids. (2015). *Working Adults Who Are Eligible For and Can Afford FMLA Unpaid Leave (Share) by Race/Ethnicity.*

Table 2. Percent of Adults Who Reported Needing Family or Medical Leave in the Last Two Years but Couldn't Take It

Race/Ethnicity	White, non-Hispanic	Hispanic	Black
Cannot Take Leave	13%	23%	26%

Source: Pew Research Center. (2017). *Americans Widely Support Paid Family and Medical Leave, but Differ Over Specific Policies.*

Disparities in Health Care and Outcomes

People of color tend to experience greater health needs and have more caregiving responsibilities – making paid leave even more important.

Latinos, Native Americans and Black people tend to have more chronic health conditions, such as diabetes and asthma, and have them at younger ages than white people.[23] And discrimination contributes to difficulty accessing quality health care services and poorer health for people of color. Decades of research show that people of color experience greater health disparities, in part as a result of chronic stress linked to everyday racial and gender discrimination.[24] Chronic conditions affect people's ability to remain in the labor force, especially when it is difficult to take time away from work to get care or treat a serious health issue. Paid leave helps maintain people's workforce attachment, promotes economical use of health services and hastens return to work. This makes paid leave particularly important to helping people of color get the care they and their families need without jeopardizing their economic security.

Paid parental leave would improve child and maternal health outcomes by allowing mothers to heal fully from childbirth, encouraging breastfeeding and reducing the likelihood of severe depressive symptoms in new mothers.[25] Yet, only 25 percent of Latino workers and 43 percent of Black workers report having access to any paid or partially paid parental leave, compared to 50 percent of white workers.[26] As a result, women of color may take shorter periods of leave or no leave at all. And mothers who return to work less than six weeks after delivery are less likely to breastfeed for the recommended duration, causing both mothers and babies to miss the health and bonding benefits it brings.[27]

Lack of paid parental leave is most immediately concerning for the health of Black women, who face much higher rates of maternal mortality and complications from pregnancy than white women.[28]

However, research from California's state paid leave program – the longest-running program in the country – finds that the state's program has increased parity in the duration of leave taken by white women and women of color, as well as in initiation of breastfeeding and other positive health outcomes across races.[29] Before the state's program, Black women took, on average, just one week of maternity leave and white, non-Hispanic women took four weeks. After implementation, Black and white mothers took an average of seven weeks of leave.[30]

In addition to paid parental leave, paid leave for family care is vital for people of color – particularly women – who tend to have significant caregiving responsibilities. Households of color are also more likely than white households to be multi-generational, which suggests they are more likely to have elder care responsibilities despite being less likely to have access to leave for elder care.[31] People of color who provide care to family members tend to be younger and more likely to be employed than white caregivers, which means they may face greater conflicts between work and family.[32] Paid leave provides employed family caregivers dedicated time to coordinate care and learn complex tasks, prepare for potential long-term care needs and help their families adjust to these changes. Research also shows that having a dedicated family caregiver improves patient adherence to medication regimens[33] and that family caregivers help their loved ones recover more smoothly and quickly and avoid or delay institutional care.[34]

Persistent Racial Discrimination

Despite some legal protections, racial discrimination in the workplace is pervasive – from hiring to promotion and everything in between – and it can keep people from taking the family and medical leave time they need.

People of color are vulnerable to discrimination throughout the employment cycle. For instance, studies show that white applicants receive 36 percent more callbacks than Black applicants and 24 percent more than Latino applicants; these discrepancies have not improved in 25 years.[35] Discrimination is also reflected in unemployment rates: When they do lose or leave a job, Native Americans, Black people and Latinos suffer from higher unemployment rates[36] and Black people and Asians tend to search longer for jobs than white workers.[37]

Within the workplace, racial and gender discrimination is common. The U.S. Equal Employment Opportunity Commission reports that more than one third of claims of employment discrimination are race based.[38] Research shows that workers of color are more vulnerable to job loss during layoffs and recessions[39] and more likely to feel unwelcome or excluded in the workplace.[40] Black and Latino workers are also overrepresented in the contingent workforce – e.g., contract workers – in which federal civil rights protections against race, gender and national origin discrimination may not apply.[41]

For people of color who need family or medical leave, discrimination, retaliation and job loss are real threats. Overall, nearly 40 percent of workers have no legal guarantee of job protection through the FMLA if they need to take leave, which means employers can dictate whether and how a person is able to take time for a personal or family health issue.[42] For many people of color, this results in job loss. For example, Black and Latina mothers are more likely than white women to report being let go by an employer or quitting their jobs after giving birth in order to have some leave.[43] The fear of job loss keeps people from being able to provide care too. For example, a recent series of focus groups in New Jersey found that men of color with low incomes said they were unable to use paid leave that was not job protected to bond with and care for their new children, in part because they feared losing their jobs.[44]

Women of Color Bear the Brunt

Women of color face the greatest barriers to economic resources and protections that can be critical in meeting family and medical needs, despite being key breadwinners as well as caregivers for their own and, sometimes, others' families.

The common narrative that women first entered the workforce en masse just decades ago ignores the fact that women of color have worked outside of their homes out of economic necessity for much longer. Yet, historically, there has been relatively little attention paid to the work-and-family needs of women of color, even though women of color often hold dual roles as breadwinners and caregivers for their families and as employed caregivers for other families.[45] In fact, laws to protect women in the workplace – and workers in general – often de facto applied only to white women because women of color were restricted to low-wage jobs that were purposefully excluded from many legal protections.[46]

Combined with the various health and economic disparities discussed throughout this brief, this historical context and an overall lack of resources and supports for women of color contributes to significantly lower economic well-being for them and their families. Black women and Latinas are more likely to work in jobs that provide little upward mobility, stability and lower pay.[47] For example, a nationally representative longitudinal study of mobility into managerial and professional occupations found that fewer than 20 percent of Black women and 25 percent of Latinas moved into these jobs, compared to 36 percent of white women.[48] Furthermore, just 16 percent of U.S. workers are women of color, but more than 20 percent of minimum wage workers are women of color.[49] Native women, Black women and Latinas also suffer from higher unemployment rates than white women.[50] These factors, in combination, mean that the economic mobility of women of color is restricted and can be further hindered when family and medical needs arise.

That is because women of color are also more likely to be key and sole breadwinners for their families, often at the same time they are primary caregivers for their loved ones, which means opting out of the labor force is not an option for most women of color. Eighty-one percent of Black mothers, 67 percent of Native mothers and 52 percent of Latina mothers are key or sole breadwinners for their families, compared to 50 percent of white mothers.[51] Yet punishing wage disparities persist, with Black women typically paid just 63 cents, Native women just 57 cents and Latinas just 54 cents for every dollar paid to white, non-Hispanic men.[52] Many workplace supports are needed to address these overlapping, structural challenges and paid leave is an important one. To be truly effective at ensuring women of color can participate fully in the labor force and family caregiving, paid family and medical leave programs must be responsive to the needs of people of color, and especially women of color.

People of Color Need Strong Paid Leave Policies

Establishing paid family and medical leave programs at the federal or state levels can combat the health and economic disparities experienced by people of color in the United States – but the details matter.

If paid family and medical leave programs are not crafted carefully, with the needs of people and women of color at the forefront, they can disproportionately exclude these families and perpetuate inequitable access to leave and the economic and health challenges associated with lack of paid leave. Fortunately, based on lessons learned from state paid family leave programs in California, New Jersey, Rhode Island and New York, key aspects of an equitable program are already well-established. And programs soon to be in place in Washington state, Washington, D.C., and Massachusetts build on these key lessons and will further reinforce them.

Job Protection: Paid leave programs should include job protection so that workers of color can take paid leave without fear of losing their jobs. Research from current state paid leave programs finds that workers of color – particularly low-income workers of color – are less likely to take paid leave if they do not have job protection.

Anti-Discrimination Protections: Federal law prohibits discrimination on the basis of race, color and national origin and protects a worker who reports discrimination from retaliation,[53] but workers of color continue to experience disproportionately high rates of discrimination and retaliation. Strong anti-discrimination and anti-retaliation language and enforcement are needed to make paid leave fully accessible to people of color.

Progressive Wage Replacement: State paid leave insurance programs provide workers with a percentage of their wages, similar to other social and private insurance programs, such as short-term disability and unemployment insurance. To make paid leave accessible to workers of color, the wage replacement rate should be as close to 100 percent as possible and it should be progressive by providing greater replacement to people with lower incomes.

Portability and Coverage Across Multiple Jobs: Paid leave should be portable so that it is attached to the worker rather than the employer, which would help workers of color in particular because they would not be penalized for changing jobs. Eligibility should be based on work and earnings history, rather than employer size or other factors related to the current employer.

Some current state paid leave programs make coverage available to contingent workers and independent contractors too. Other self-employed people – including small business owners – can opt in to the programs. It is important for workers and entrepreneurs of color that any paid leave program provide a pathway for covering contingent workers and self-employed people.

Meaningful and Comprehensive Leave: For paid leave to be adequate, it must provide a meaningful duration of leave – at least 12 weeks for parental, family care and medical leave. Any paid leave program that does not provide meaningful and gender-neutral leave for all purposes will not meet the full needs of people of color.

Dedicated Funding for Outreach, Education and Enforcement: Paid leave programs should include a plan for equitably designed implementation. Research on current state paid leave programs finds that workers of color are less likely to be aware of the programs, the benefits they provide, how to qualify and how to apply. This makes dedicated funding for outreach, education and enforcement to ensure equitable program usage and treatment by employers critical.

Structural and discriminatory barriers have disadvantaged people of color for decades and continue to harm their economic, wealth and health statuses. But if designed and implemented according to these key provisions, paid family and medical leave programs can improve racial equity in the labor force, help businesses increase and maintain diversity and support family wealth-building and entrepreneurship. Doing so will become even more important as the country's demographics change. People of color need a strong paid family and medical leave program now.

Endnotes

[1] U.S. Bureau of Labor Statistics. (2017, September). *Employee Benefits in the United State National Compensation Survey, March 2017* (Table 32, civilian workers). Retrieved 24 July 2018, from https://www.bls.gov/ncs/ebs/benefits/2017/ebbl0061.pdf

[2] Nieves, E., & Asante-Muhammad. (2018, March). *Running in Place: Why the Racial Wealth Divide Keeps Black and Latino Families from Achieving Economic Security*. Prosperity Now Publication. Retrieved 3 August 2018, from https://prosperitynow.org/sites/default/files/resources/Running_in_Place_FINAL_3.2018.pdf

[3] Asante-Muhammed, D., et al. (2017, September). *The Road to Zero Wealth: How the Racial Wealth Divide is Hollowing Out America's Middle Class*. Prosperity Now and Institute for Policy Studies Publication. Retrieved 24 July 2018, from https://prosperitynow.org/sites/default/files/PDFs/road_to_zero_wealth.pdf; see also, Darity Jr., W., et al. (2018, April). *What We Get Wrong about Closing the Racial Wealth Gap*. Samuel DuBois Cook Center on Social Equity Publication. Retrieved 24 July 2018, from https://socialequity.duke.edu/sites/socialequity.duke.edu/files/site-images/FINAL%20COMPLETE%20REPORT_.pdf

[4] Asante-Muhammed, D., et al. (2017, September). *The Road to Zero Wealth: How the Racial Wealth Divide is Hollowing Out America's Middle Class*. Prosperity Now and Institute for Policy Studies Publication. Retrieved 24 July 2018, from https://prosperitynow.org/sites/default/files/PDFs/road_to_zero_wealth.pdf

[5] Glantz, A., & Martinez, E. (2018, February 15). For people of color, banks are shutting the door to homeownership. *Reveal, from The Center for Investigative Reporting*. Retrieved 30 July 2018, from https://www.revealnews.org/article/for-people-of-color-banks-are-shutting-the-door-to-homeownership/

[6] See note 4.

[7] Weller, C.E., & Thompson, J. (2016, December 20). *Wealth Inequality Among Asian Americans Greater Than Among Whites*. Center for American Progress Publication. Retrieved 24 July 2018, from https://www.americanprogress.org/issues/race/reports/2016/12/20/295359/wealth-inequality-among-asian-americans-greater-than-among-whites/; see also, Kochhar, R., & Cilluffo, A. (2018, July 12). I*ncome Inequality in the U.S. Is Rising Most Rapidly Among Asians*. Pew Social Trends Publication. Retrieved 24 July 2018, from http://www.pewsocialtrends.org/2018/07/12/income-inequality-in-the-u-s-is-rising-most-rapidly-among-asians/

[8] Weller, C.E., & Thompson, J. (2016, December 20). *Wealth Inequality Among Asian Americans Greater Than Among Whites*. Center for American Progress Publication. Retrieved 24 July 2018, from https://www.americanprogress.org/issues/race/reports/2016/12/20/295359/wealth-inequality-among-asian-americans-greater-than-among-whites/

[9] Chang, M. (2010). *Lifting as We Climb*. Insight Center for Community Economic Development Publication. Retrieved 24 July 2018, from http://www.mariko-chang.com/LiftingAsWeClimb.pdf

[10] U.S. Census Bureau. (2017). *American Community Survey 1-Year Estimates 2016, Table S1701, Poverty Status in the Past 12 Months, 2016 American Census Bureau 1-Year Estimates*. Retrieved 24 July 2018, from https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_16_1YR_S1701&prodType=table

[11] Ewing Marion Kauffman Foundation. (2016, September 6). *Race*. Retrieved 25 July 2018, from https://www.kauffman.org/microsites/state-of-the-field/topics/background-of-entrepreneurs/demographics/race

[12] Austin, A. (2016, April). *The Color of Entrepreneurship: Why the Racial Gap among Firms Costs the U.S. Billions*. Center for Global Policy Solutions Publication. Retrieved 25 July 2018, from http://globalpolicysolutions.org/wp-content/uploads/2016/04/Color-of-Entrepreneurship-report-final.pdf

[13] Prosperity Now. (2018). *Prosperity Now Scorecard, Financial Assets & Income, Liquid Asset Poverty Rate*. Retrieved 24 July 2018, from http://scorecard.prosperitynow.org/data-by-issue#finance/outcome/liquid-asset-poverty-rate (See "State Data By Race.")

[14] U.S. Federal Reserve Board. (2018, May). *Report on the Economic Well-Being of U.S. Households in 2017*. Retrieved 24 July 2018, from https://www.federalreserve.gov/publications/files/2017-report-economic-well-being-us-households-201805.pdf; data not reported for Asian and Native American households.

[15] Hamilton, D., & Darity Jr., W. (2016, May). *The Political Economy of Education, Financial Literacy, and the Racial Wealth Gap*. Retrieved 24 July 2018, from https://www.stlouisfed.org/~/media/Files/PDFs/HFS/20160525/papers/Hamilton-paper.pdf; Office of Inspector General United States Postal Service. (2014, January 27). *Providing Non-Bank Financial Services for the Underserved*. Retrieved 25 July 2018, from https://www.uspsoig.gov/sites/default/files/document-library-files/2015/rarc-wp-14-007_0.pdf

[16] Miller, K. (2018). *The Simple Truth about the Gender Pay Gap*. American Association of University Women Publication. Retrieved 23 July 2018, from https://www.aauw.org/aauw_check/pdf_download/show_pdf.php?file=The-Simple-Truth

[17] National Partnership for Women & Families. (2018, April). *Asian American and Pacific Islander Women and the Wage Gap*. Retrieved 3 August 2018, from http://www.nationalpartnership.org/research-library/workplace-fairness/fair-pay/asian-women-and-the-wage-gap.pdf

[18] National Women's Law Center. (2015, August). *Underpaid & Overloaded: Women in Low-Wage Jobs*. Retrieved 24 July 2018, from https://nwlc.org/wp-content/uploads/2015/08/final_nwlc_lowwagereport2014.pdf

[19] Klerman, J. A., Daley, K., & Pozniak, A. (2012, September 7). *Family and Medical Leave in 2012: Technical Report. Abt Associates Publication*. Retrieved 24 July 2018, from https://www.dol.gov/asp/evaluation/fmla/FMLA-2012-Technical-Report.pdf

[20] diversitydatakids.org. (n.d.). *Challenges with Taking FMLA Leave*. Brandeis University, The Heller School for Social Policy and Management Publication.

Retrieved 24 July 2018, from http://www.diversitydatakids.org/files/Policy/FMLA/Capacity/Challenges%20with%20taking%20family%20leave.pdf; data unavailable for Native Americans.

[21] diversitydatakids.org. (2015). *Working Adults Who Are Eligible For and Can Afford FMLA Unpaid Leave (Share) by Race/Ethnicity*. Brandeis University, The Heller School, Institute for Child, Youth and Family Policy Publication. Retrieved 24 July 2018, from http://www.diversitydatakids.org/data/ranking/530/working-adults-who-are-eligible-for-and-can-afford-fmla-unpaid-leave-share-by-ra/#loct=2&cat=44,25&tf=17&ch=1,2,3,4; workers are considered unable to take unpaid FMLA leave because they are either ineligible based on employer size or job tenure requirements or because 12 weeks of lost wages from unpaid leave would result in their families' income dropping to or under 200 percent of the federal poverty level; data unavailable for Native Americans.

[22] Horowitz, J., Parker, K., Graf, N., & Livingston, G. (2017, March 23). *Americans Widely Support Paid Family and Medical Leave, but Differ Over Specific Policies*. Pew Research Center Publication. Retrieved 24 July 2018, from http://assets.pewresearch.org/wp-content/uploads/sites/3/2017/03/22152556/Paid-Leave-Report-3-17-17-FINAL.pdf

[23] Artiga, S., Foutz, J., Cornachione, E., & Garfield, R. (2016, June 7). *Key Facts on Health and Health Care by Race and Ethnicity*. Kaiser Family Foundation Publication. Retrieved 25 July 2018, from https://www.kff.org/disparities-policy/report/key-facts-on-health-and-health-care-by-race-and-ethnicity/; see also Price, J. H., Khubchanda, J., McKinney, M., & Braun, R. (2013, September). Racial/Ethnic Disparities in Chronic Diseases of Youths and Access to Health Care in the United States. *BioMed Research International*, doi: 10.1155/2013/787616. Retrieved 25 July 2018, from https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3794652/#

[24] Geronimus, A.T., et al. (2006, May). "Weathering" and Age Patterns of Allostatic Load Scores Among Blacks and Whites in the United States. *American Journal of Public Health, 96*(5): 826-833. Retrieved 23 July 2018, from https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1470581/; see also Gravlee, C.C. (2009, February). How race becomes biology: Embodiment of social inequality. *American Journal of Physical Anthropology, 139*(1), p. 47-57. doi:10.1002/ajpa.20983

[25] ZERO TO THREE, & National Partnership for Women & Families. (2017, January). *The Child Development Case for a National Paid Family and Medical Leave Program*. Retrieved 25 July 2018, from http://www.nationalpartnership.org/research-library/work-family/paid-leave/the-child-development-case-for-a-national-paid-family-and-medical-leave-insurance-program.pdf

[26] Glynn, S.J., & Farrell, J. (2012, November). *Latinos Least Likely to Have Paid Leave or Workplace Flexibility*. Center for American Progress Publication. Retrieved 25 July 2018, from http://www.americanprogress.org/wp-content/uploads/2012/11/GlynnLatinosPaidLeave1.pdf

[27] Berger, L., Hill, J., & Waldfogel, J. (2005). Maternity Leave, Early Maternal Employment and Child Health and Development in the US. *The Economic Journal, 115*: F29-F47.

[28] National Partnership for Women & Families. (2018, April). *Snapshot: Black Maternal Health in the United States*. Retrieved 25 July 2018, from http://www.nationalpartnership.org/research-library/maternal-health/maternity-snapshot-black-maternal-health.pdf

[29] Appelbaum, E., & Milkman, R. (2013). *Unfinished Business: Paid Family Leave in California and the Future of U.S. Work-Family Policy*. Ithaca, NY: Cornell University Press

[30] Rossin-Slater, M., Ruhm, C., & Waldfogel, J. (2013, July 4). The Effects of California's Paid Family Leave Program on Mothers' Leave-Taking and Subsequent Labor Market Outcomes. *Journal of Policy Analysis and Management, 32*(2): 224-245. Retrieved 3 August 2018, from https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3701456/

[31] Cohn, D., & Passel, J. S. (2018, April 5). *A record 64 million Americans live in multigenerational households*. Pew Research Center Publication. Retrieved 25 July 2018, from http://www.pewresearch.org/fact-tank/2018/04/05/a-record-64-million-americans-live-in-multigenerational-households/

[32] National Alliance for Caregiving. (2015, June). *Caregiving in the U.S. 2015*. National Alliance for Caregiving and AARP Public Policy Institute Publication. Retrieved 25 July 2018, from http://www.aarp.org/content/dam/aarp/ppi/2015/caregiving-in-the-united-states-2015-report-revised.pdf; does not include data on Native Americans.

[33] Aggarwal, B., Liao, M., & Mosca, L. (2014, October 1). Medication Adherence Is Associated with Having a Caregiver Among Cardiac Patients. *Annals of Behavioral Medicine. 46*(2): 237–242. Retrieved 25 July 2018, from https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3787847/3

[34] U.S. Department of Health and Human Services. (2011). *Administration on Aging: FY 2011 Report to Congress*. Retrieved 25 July 2018, from https://www.acl.gov/sites/default/files/about-acl/2017-04/AOA_2011_AnnualReport.pdf; The National Academies of Sciences, Engineering, and Medicine. (2016, September 13). *Families Caring for an Aging America*. Retrieved 25 July 2018, from http://www.nationalacademies.org/hmd/Reports/2016/families-caring-for-an-aging-america.aspx

[35] Quillian, L., Pager, D., Hexel, O., & Midtboen, A. H. (2017, September 12). *Meta-analysis of field experiments shows no change in racial discrimination in hiring over time*. PNAS Publication. Retrieved 23 July 2018, from http://www.pnas.org/content/114/41/10870

[36] U.S. Bureau of Labor Statistics. (2017, October). *Labor force characteristics by race and ethnicity, 2016*. Retrieved 25 July 2018, from https://www.bls.gov/opub/reports/race-and-ethnicity/2016/home.htm

[37] U.S. Bureau of Labor Statistics. (2018, July 6). *E-16. Unemployment rates by age, sex, race, and Hispanic or Latino ethnicity*. Retrieved 25 July 2018, from https://www.bls.gov/web/empsit/cpsee_e16.htm. The data set did not include comparable data for Native American workers.

[38] U.S. Equal Employment Opportunity Commission. (n.d.) *Charge Statistics (Charges filed with EEOC) FY 1997 Through FY 2017*. Retrieved 25 July 2018, from https://www.eeoc.gov/eeoc/statistics/enforcement/charges.cfm

[39] Couch, K.A., & Fairlie, R. (2010, February). Last Hired, First Fired? Black-White Unemployment and the Business Cycle. *Demography, 47*(1): 227-247. Retrieved 25 July 2018, from https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3000014/; Kalev, A. (2014, January 29). How You Downsize Is Who You

Downsize: Biased Formalization, Accountability, and Managerial Diversity. *American Sociological Review, 79*: 109. Retrieved 25 July 2018, from http://people.socsci.tau.ac.il/mu/alexandrakalev/files/2015/07/Kalev-2014.pdf

[40] Nugent, J. S., Pollack, A. & Travis, D.J. (2016, September). *The Day-to-Day Experiences of Workplace Inclusion and Exclusion*. Catalyst Publication. Retrieved 25 July 2018, from http://www.catalyst.org/knowledge/day-day-experiences-workplace-inclusion-and-exclusion; LeanIn, & McKinsey & Company. (2017). *Women in the Workplace*. Retrieved 25 July 2018, from https://womenintheworkplace.com/

[41] U.S. Bureau of Labor Statistics. (2018, June 7). *Contingent and Alternative Employment Arrangements – May 2017*. Retrieved 25 July 2018, from https://www.bls.gov/news.release/pdf/conemp.pdf

[42] See note 19.

[43] Laughlin, L. (2011, October). *Maternity Leave and Employment Patterns of First-Time Mothers: 1961-2008*. U.S. Census Bureau Publication. Retrieved 25 July 2018, from http://www.census.gov/prod/2011pubs/p70-128.pdf

[44] Setty, S., Skinner, C., & Wilson-Simmons, R. (2016, March). *Protecting Workers, Nurturing Families: Building an Inclusive Family Leave Insurance Program, Findings and Recommendations from the New Jersey Parenting Project*. National Center for Children in Poverty Publication. Retrieved 25 July 2018, from http://nccp.org/projects/paid_leave_publications.html

[45] Frye, J. (2016, October). *The Missing Conversation About Work and Family*. Center for American Progress Publication. Retrieved 25 July 2018, from https://cdn.americanprogress.org/wp-content/uploads/2016/09/30124619/WorkAndFamily-WomenOfColor-Oct.pdf

[46] Ibid; see also, Perea, J. F. (2011). The Echoes of Slavery: Recognizing the Racist Origins of the Agricultural and Domestic Worker Exclusion from the National Labor Relations Act. *Ohio State Law Journal, 72*(1). Retrieved 3 August 2018, from http://moritzlaw.osu.edu/students/groups/oslj/files/2012/04/72.1.perea_.pdf

[47] See note 44.

[48] Wilson, G. (2012). Women's Mobility Into Upper-Tier Occupations: Do Determinants and Timing Differ by Race? *The Annals of the American Academy of Political and Social Science, 639*(1): 131–148. Retrieved 25 July 2018, from http://ann.sagepub.com/content/639/1/131.abstract

[49] U.S. Bureau of Labor Statistics. (2018, March). *Characteristics of minimum wage workers, 2017*. Retrieved 23 July 2018, from https://www.bls.gov/opub/reports/minimum-wage/2017/home.htm

[50] U.S. Bureau of Labor Statistics. (2017, October). *Labor force characteristics by race and ethnicity, 2016*. Retrieved 25 July 2018, from https://www.bls.gov/opub/reports/race-and-ethnicity/2016/home.htm

[51] Anderson, J. (2016, September 8). *Breadwinner Mothers by Race/Ethnicity and State*. Institute for Women's Policy Research Publication. Retrieved 25 July 2018, from https://iwpr.org/wp-content/uploads/wpallimport/files/iwpr-export/publications/Q054.pdf

[52] National Partnership for Women & Families. (2017, September). *Quantifying America's Gender Wage Gap by Race*. Retrieved 25 July 2018, from http://www.nationalpartnership.org/research-library/workplace-fairness/fair-pay/quantifying-americas-gender-wage-gap.pdf; see also http://www.equalpaytoday.org

[53] 42 U.S.C. § 2000e *et seq*.

The National Partnership for Women & Families is a nonprofit, nonpartisan advocacy group dedicated to promoting fairness in the workplace, reproductive health and rights, access to quality health care and policies that help women and men meet the dual demands of work and family. More information is available at NationalPartnership.org.

Paid Family and Medical Leave: A Racial Justice Issue – and Opportunity was supported by Ascend at the Aspen Institute as part of the National Partnership for Women & Families' participation in the Aspen Family Prosperity Innovation Community. The brief was a collaborative effort of the National Partnership's workplace and health program teams with policy associate Julia Kortrey as its lead author. The National Partnership thanks the following external partners for their insights in helping us to formulate the brief: Dedrick Asante-Muhammad, Andrea Flynn, Jocelyn Frye, Amy Traub and Jennifer Tucker. The findings and conclusions presented are current as of August 9, 2018.

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