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NEWSLETTER OF THE

Labor Project for  
 Working Families

# LaborFamilyNEWS

PARTNERING WITH UNIONS TO PUT FAMILIES *first*

SPRING 2009

## HELP FOR JOBLESS WORKERS:

### *Unemployment Insurance Reforms Benefit Families*

BY BRANDY DAVIS

The US unemployment rate rose to 8.1% as 651,000 jobs were lost in February. To respond to the economic crisis, on February 17th President Obama signed the American Recovery and Reinvestment Act into law. A key provision, the Unemployment Insurance Modernization Act (UIMA), proposes to help jobless workers by improving state unemployment insurance programs. More people are collecting unemployment insurance than at any time in the past 25 years and rates are expected to rise. As states grapple with implementing UIMA to receive economic incentives, unions have a critical opportunity to push for state policy changes that bring unemployment insurance in line with the 21st century workforce.

Unemployment insurance was created in the Social Security Act of 1935 to provide temporary income support to workers who lose their jobs. However outdated eligibility rules still prevent many workers from accessing this safety net. Only 37% of jobless workers collect unemployment insurance nationwide. UIMA offers states \$7 billion in incentive funding to implement model reforms and \$500 million to meet rising administrative costs. Art Pulaski, Executive Secretary-Treasurer of the California Labor Federation says, "Now more than ever, it's crucial that we update our unemployment system to ensure benefits get to those who need it most."

Not only does unemployment insurance help by providing income support to workers and stimulating local economies, it can also be a vital tool to help balance work and family responsibilities. Several reforms that qualify states for funding under UIMA provide critical relief to working families: expanded eligibility to part-time workers and workers forced to leave work because they provide care to a sick family member, and increased benefits for jobless workers caring for dependents.

Women's responsibility for caring for their families is a primary motivator for part-time work. The number of part-time workers has tripled since the 1950's to more than one in every six workers, and women make up 67% of the part-time workforce. 25% of part time workers cite child care problems and other family responsibilities as the primary reason for a reduced work schedule. Only 20 states currently provide unemployment insurance to part-time workers. In many states leaving a job to care for a sick spouse, or refusing a shift change to care for a sick child, is a voluntary job termination that makes a worker ineligible for unemployment insurance. Only 16 states currently have provisions that protect unemployed workers forced to leave work to care for a sick family member.

Unions have historically made a difference in making sure that unemployment insurance programs work. Studies estimate that blue-collar workers laid off from union jobs are 23% more likely than comparable non-union workers to receive unemployment insurance. According to the Economic Policy Institute,



Sara Steffens, a worker fired after successfully organizing a union at News MediaCorp, speaks at a DC rally about the massive layoffs in her industry and the need for legislation that would make it easier for workers to form unions in their workplace: "I think the state of the economy and the state of the newspaper industry makes this a perfect time for unions and the Employee Free Choice Act." For more information go to [www.EmployeeFreeChoiceAct.org](http://www.EmployeeFreeChoiceAct.org) Photo by Communications Workers of America

"considering that unemployment insurance acts as a stabilizer for the economy during times of recession, the role of unions in this program is pivotal."

As state legislatures across the country contemplate reforms to their unemployment insurance programs, unions can make a difference for working families. Anne Nolan, Labor Educator and United Steelworkers' Associate Member, says, "It's not your grandfather's workforce and it's not your grandfather's labor market; we shouldn't have your grandfather's unemployment system. It leaves too many people out. Families depend on what part-time women and low-wage workers bring home."

For more information about the UIMA, visit the National Employment Law Project at [www.nelp.org](http://www.nelp.org)

Find the **INSIDE STORY** on...

#### **BREASTFEEDING AND WORK**



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# BREASTFEEDING AND WORK:

## *New Moms Assert Their Rights*

BY JENYA CASSIDY

Breastfeeding is in. Twenty years of research has firmly established that breast milk is the food most perfectly suited to an infant's health and development. Public education campaigns are getting this message across and, according to the Centers for Disease Control, breastfeeding initiation rates in the US hit a 20 year high of 77% recently. But despite this hopeful news that more mothers are starting their babies on breast milk, the same study shows that a majority of moms are cutting breastfeeding short – stopping often after only a few days. Dr. Jerry Calnen, a pediatrician with the Academy of Breastfeeding Medicine, says that there are many reasons for this -- inadequate support from the health care community, aggressive promotion and advertising of infant formula, commonly held misconceptions about breast milk and the difficulty most

women have breastfeeding in public. But the number one reason women gave for stopping or never starting to breastfeed is the need to return to work soon after giving birth.

### WORKPLACE CHALLENGES

The World Health Organization and the American Academy of Pediatrics recommend breastfeeding a minimum of six months to a year. But a recently-released poll by National Women's Health Resources shows that only one-third of working mothers continue to breastfeed their children at 6 months, compared to 42 percent of women who stay home. The women in the poll included the following reasons for ceasing to breastfeed their infants after returning to work: employer discouragement, no time and privacy to pump and difficulty storing and transporting milk. According to Jake Aryeh Marcus of Mothering Magazine, only 26 percent of US employers report having a



lactation program or designated area for their employees to pump and store breast milk.

### THE UNION ADVANTAGE

Combining breastfeeding and work presents an even greater challenge for mothers in non-union and low wage jobs who are unlikely to have the workplace flexibility and clean, private space necessary for pumping breast milk. While every union workplace won't automatically come equipped with a lactation room, a union member can call on her union to help.

A bus driver and member of ATU Local 192 in Oakland California wanted to continue to breastfeed her baby after she returned to work but it seemed impossible on the bus route. She went to the assistant shop steward, Anthony Rodgers, for help and he came up with a creative solution: after a bit of pushing on Rodgers' part, Human Resources agreed to change the driver's route so she could stop by a local health clinic, pump her breast milk and take it on the bus in a refrigerated cooler. The clinic was happy to comply and featured this story of a mother-in-transit in their breastfeeding awareness events. "With all of our women drivers, I was amazed that no one had ever dealt with this before," said Rodgers. "Now when a woman wants to continue breastfeeding after returning to her route, we have a precedent set. It's really important for unions to take a stand on this – having a job should not mean that a woman



*Newborns need time to establish breastfeeding and bond with their mothers.*

*continued on next page*

gives up her right to do the best thing for her baby.”

Glenn Gandolfo of Machinists Local 1101 initiated work on California's Lactation Accommodation Law after getting a call from a union member who was forced to pump breast milk in an unsanitary bathroom. He was surprised that there were no laws on the books specifically protecting the rights of lactating mothers at work and called his state representative, Jackie Speier to author the bill. Now California is one of 21 states, the District of Columbia and Puerto Rico with laws that protect the rights of breastfeeding mothers in the workplace.

### THE NEED FOR MATERNITY LEAVE

Unions can negotiate for accommodations that make it easier for women to pump milk in the workplace. “But,” says Dr. Jerry Calnen, “what mothers and infants need more than anything else during the first few months is time to be together. A number of studies show that maternity leave has a positive impact on breastfeeding duration but in the United States, paid maternity and paternity leave consist of whatever a family can cobble together from short-term disability, sick days and vacation time.” Job-protected, paid leave is probably one of the most important things policy makers and unions can fight for to support continued breastfeeding. Right now, only 5 states have paid pregnancy disability leave and three

states have passed paid family leave legislation. There is both federal and state legislation pending to provide paid parental and family leave.

### BRING BABY TO WORK

On-site child care can be an ideal way to help mothers continue to breastfeed and bond while working. But according to the Society for Human Resource Management, only 6 percent of employers offer on-site child care. Since this option does not exist with most employers, a growing number are allowing new moms to bring their babies to work for a limited time. Carla Moquin, founder of the Parenting in the Workplace Institute, points out that while helping moms to continue to breastfeed, this policy costs an organization almost nothing and provides extensive business benefits such as building workplace morale and decreasing absenteeism. The Colorado AFL-CIO has a staff policy of allowing newborns in the workplace – the length of time is decided on a case by case basis.

According to Laurie True of the California WIC Association, where there are laws on the books the problem lies in educating workers about these laws and enforcing them. “A lot of low wage working women don't know about the law and don't bring it up with bosses so it is not enforced,” said True. “Exercising the right to continue breastfeeding affects the health of babies. Everyone needs to be concerned with that.”

**“We need public policies that recognize that new mothers are returning to the workforce faster than ever before. Breastfeeding not only helps the baby and the mom, it helps our economy by giving employers workers with healthy families...”**

**– Massachusetts Senator Susan Fargo,  
Chairman of the Public Health Committee**

## BREASTFEEDING AND THE WORKPLACE

### Unions can:

- negotiate for longer maternity leaves so mothers can bond and establish breastfeeding
- negotiate for flexible breaks and lactation accommodation for breastfeeding employees
- educate workers on the importance of breastfeeding and the rights of lactating mothers in the workplace

### Policymakers can:

- illustrate the benefits of breastfeeding through promotional materials and announcements
- create mandates for employers to allow employees to breastfeed or pump at the workplace
- protect against employee discrimination or harassment of breastfeeding workers

For bargaining tips, resources, case studies and contract language visit LEARN WorkFamily at [www.learnworkfamily.org](http://www.learnworkfamily.org)

### UNIONS AND POLICYMAKERS CAN MAKE A DIFFERENCE

With public perception of the importance of breastfeeding at an all time high, it is a great time for unions and policy makers to come together to promote working mothers' right to continue breastfeeding after returning to work. Massachusetts Senator Susan Fargo, Chairman of the Public Health Committee says, “We need public policies that recognize that new mothers are returning to the workforce faster than ever before. Breastfeeding not only helps the baby and the mom, it helps our economy by giving employers workers with healthy families and, to make a good thing even better, breastfeeding ultimately takes pressure off of public health care spending which saves taxpayers money.”

# Announcing



***“In these tough economic times when our working families are making impossible choices between family caregiving and job security, it is more important than ever that unions lead the way to create family friendly workplaces. LEARN WorkFamily is an essential resource for unions right now.”***

– Gordon Pavy, Director of  
Collective Bargaining, AFL-CIO

LEARN WorkFamily is a unique FREE online education and resource network to help unions build a family friendly workplace culture.

The network features:

- a password-protected online database of work family contract language
- tips on bargaining for work family benefits
- techniques on building a successful work family agenda
- case studies and stories about bargaining wins.
- downloadable resources, fact sheets and links to current laws that impact bargaining on work family issues

Join LEARN WorkFamily ([www.learnworkfamily.org](http://www.learnworkfamily.org)) today. Become part of a growing movement to build family friendly workplaces.

Register now for FREE and use our online contract language database to win crucial work family benefits for your union!

*Developed by Labor Project for Working Families*

## **Have you bargained for new work family language lately?**

LEARN WorkFamily, is currently seeking submissions from unions that have negotiated good work family contract language.

To submit your contract language go to [www.learnworkfamily.org](http://www.learnworkfamily.org). For more information e-mail [info@working-families.org](mailto:info@working-families.org) or call 510-643-7088.



Join LEARN WorkFamily – A FREE online resource network that features a database of contract language on work family issues such as family leave, child care, elder care, flexible work options, adoption benefits and much more!

[www.learnworkfamily.org](http://www.learnworkfamily.org)

# NEWS BRIEFS

## POLICY SHIFT

■ **OBAMA SIGNS LILLY LEDBETTER FAIR PAY ACT INTO LAW** In January 2009, President Obama took a major step forward in giving women the ability to challenge unequal pay by signing the Lilly Ledbetter Fair Pay Act. Lilly Ledbetter discovered after working nearly 20 years at a Goodyear tire plant that she had been paid significantly less than men doing the same job. A federal jury ruled in favor of her receiving back pay, but on appeal the US Supreme Court ruled that Ledbetter and other workers had no right to sue for a violation of pay discrimination after more than 180 days had passed. The new law makes it easier to address pay inequities by eliminating the 180 day rule.

■ **RUSSIAN DADS CAN NOW TAKE LEAVE** Mikhail Yermolov, an engineer at a Moscow auto plant, requested two weeks of sick time to care for his son while his wife was ill. His employer refused to pay for his time off work and Yermolov sued. The Constitutional Court ruled in his favor and, as a result, federal law was amended to guarantee fathers of young children the same rights as mothers to receive paid leave from work to attend to a child. *Moscow Times, February 2009/reprinted in WFC Resources Newsbrief, March 2009*

## NEWSWORTHY

■ **WORK FAMILY BALANCE SUFFERS FROM ECONOMIC STRESS** Working Parents are asking for less family-friendly benefits in an economy that seems to get worse by the week. New moms are cutting maternity leaves short, parents are logging more hours at work and everyone is less likely to seek time off. “Parents may censor themselves,” says Heidi Hartmann, president of the Institute for Women’s Policy Research in Washington DC. “They wouldn’t want to stand out as someone who needs special treatment – the needy employee.” *Paul Nyhan, Seattle Post-Intelligencer, February 2009*

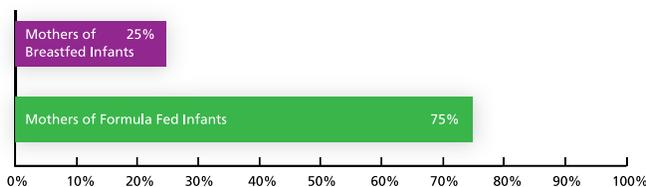
## DID YOU KNOW?

■ **LONGER MATERNITY LEAVES ARE BETTER FOR BABIES AND THEIR MOTHERS** New studies out of UC Berkeley show that women who start their maternity leaves before their babies are born are four times less likely to have C-sections and the longer mothers were able to delay their return to work, the more likely they were to successfully establish breastfeeding. *UC Berkeley Press Release, January 2009*

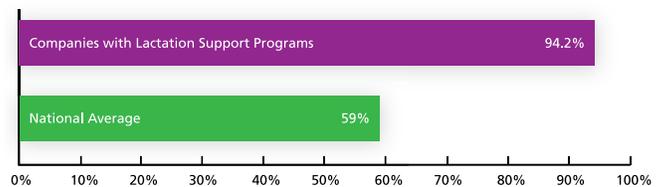


## The Business Case for Breastfeeding

**Percentage of Infant Illnesses Requiring 1-Day Maternal Absence from Work**



**Retention Rate for Employees of Companies with Lactation Support Programs**



From the U.S. Department of Health and Human Services Health Resources and Services Administration (HRSA) “The Business Case for Breastfeeding.” The booklet shows how lactation accommodation benefits the workplace by decreasing absenteeism by new moms and increases overall morale.

# NETSYNOTE

When I first moved to California in 1990, I helped the Child Care Employee Project (now the Center for the Child Care Workforce/AFT) organize an event for unions on child care. We discovered that a lot of unions in the room had negotiated for child care provisions in their contracts but the other unions had no idea this was possible. And they wanted to know more. Thus began a core element of the Labor Project for Working Families – the collection and dissemination of contract language on child care, family leave, flexible work schedules, elder care and more.

Lately, we've been getting calls requesting samples of contract language dealing with the economic downturn. I was reminded of a call years ago from a union that wanted contract language to help mitigate layoffs by offering a reduced hours schedule. I sent them language on 'voluntary time off' that an SEIU Local had negotiated. It allowed workers to reduce their time and their income by a percentage. Voluntary time off could be used as a strategy to prevent layoffs or by workers who needed time for family or other responsibilities. This is truly "flexible" language which can be used by workers at different times for different reasons.

Well now it's the 21st Century and we decided to put work family contract language online. So with a grant from the Alfred P. Sloan Foundation, we greatly expanded our inventory and developed Labor Education and Resource Network (LEARNWorkFamily).

We created this network because we wanted more than just a contract language database – we wanted people to be inspired by others' stories and find new ideas for bargaining that they had not known about before. We hope you will use the website and also send us your bargaining stories and work family contract language. Take a look and let us know what you think!  
[www.learnworkfamily.org](http://www.learnworkfamily.org)



## Labor Project Wins Award

The Labor Project for Working Families was honored with the **Rosalinde Gilbert Innovations in Alzheimer's Disease Caregiving Legacy Award** in recognition of its policy and advocacy efforts around paid leave.

The Caregiving Legacy Awards Program was established through a grant by Rosalinde and Arthur Gilbert Foundation to the National Center on Caregiving at the Family Caregiver's Alliance (FCA).



For more information on the work of the Family Caregiver's Alliance, go to: [www.caregiver.org](http://www.caregiver.org)



## MAKING NEWS?

Send ideas, news, and comments to [info@working-families.org](mailto:info@working-families.org)

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