

# Unions and Child Care

By Lea Grundy and Netsy Firestein

For nearly a century, unions throughout this country have struggled at the bargaining table, in the streets, and through legislation to make it possible for working families to survive — and live life well. Thanks to the efforts of unions, many working people have earned enough to take care of life's necessities and to be able to afford small luxuries, buy a house, drive a car, pay for medical care, send their children to college, and retire with security. Unions also have fought for the recognition of workers as whole human beings who need time for recreation and to be with their families, protecting working people's personal time through weekends off, the eight-hour day, and overtime compensation.

Today, women make up nearly half of the workforce in the United States; and women with children are one of the fastest-growing groups of workers. Labor unions recognize this reality and, as the labor movement becomes increasingly focused on organizing, child care and other family issues are becoming a central component in organizing, bargaining, and legislative causes.

Work and family issues reflect some of the best principles of the United States labor movement: that workers should be able to support themselves and their children in dignity and comfort; that workers are human beings with lives and responsibilities apart from their responsibilities on the job; and that the struggle to protect working families must go on through organizing, bargaining, and law-making, especially in the face of today's difficult and unpredictable economic conditions.

## UNIONS AND CHILD CARE: WHAT'S IT ALL ABOUT?

Today's working families are stretched thin. Economic necessity pressures them from outside the home — most families must have two wage earners to survive. Domestic necessity pressures them from inside the home — children, elderly parents, and other household responsibilities are constantly in need of attention. Concerns that emerge as working people struggle to meet both domestic and economic demands are often lumped together as “work and family issues.”

Lea Grundy is a program associate at the Labor Project for Working Families. Netsy Firestein is its director and founder. LPWF, in cooperation with the Working Women's Dept., AFL-CIO, provides information and technical assistance to unions nationally to develop work and family policies.

This article was adapted from a piece that originally appeared in the journal, *New Labor Forum* (Spring 1998). For information on references used in this article, please contact Lea Grundy at (510) 643-7088 or email [grundy@socrates.berkeley.edu](mailto:grundy@socrates.berkeley.edu).

**Child care.** One of the most important of these issues is child care, which is defined as the nurturing and supervision of children at home, in centers, or in home-like settings. Child care is needed during regular work hours for healthy kids and, also, after school, in emergency situations, for sick children, during vacations and holidays, and during extended and off-hours for parents who work irregular shifts.

One way to solve the child care needs of working families is to arrange for someone other than parents to care for children while parents are at work. However, another way to help satisfy these needs is to make parents, themselves, available to care for their children through parental and family leave or alternative work schedules.

**Parental and family leave.** Parental leave is leave from work to bear, bond with, and/or care for newborn, newly adopted, and newly placed foster children. Family leave is leave to care for sick children or other family members, or to cope with other family emergencies. Short-term leave allows working people to take leave in increments as short as an hour or two to deal with family needs such as attending a parent/teacher conference or taking a child to a medical appointment. While parental and family leave often are unpaid, unions have bargained for paid leave as well.

**Alternative schedules.** Alternative schedules include work schedules that allow working people to manage day-to-day family needs while continuing to work. They include flexible scheduling, telecommuting, and arrangements such as job shares or part-time work with benefits.

## UNIONS RISE TO THE CHALLENGE

Major changes have occurred for U.S. working families in the last three decades. There are many more single parents and other kinds of non-traditional families. In addition to raising children while holding down a job, more working people also are responsible for elderly relatives. During the same period, more women have been organizing. The result has been an increase in the number of women in the labor movement, and better wages and family benefits for women in unions.

**Women's work maintains the standard of living.** As real wages began to drop in the 1970s and continued to fall in the 1980s, women began to enter the paid workforce in record numbers. According to the Institute for Women's Policy Research, women's participation in

the labor force increased from 39 percent to 58 percent between 1965 and 1990. While many women certainly entered the workforce as a result of the women's movement and equal employment opportunity laws, many others went to work simply so that their families could survive financially. Union leaders John Sweeney and Karen Nussbaum demonstrated in a 1989 publication that women's paychecks picked up the slack as men's earnings fell. In this way, women prevented a drop in family income of almost 20 percent by the late 1980s.

**Mothers in the workforce.** Because their earnings are so important for their families, fewer women now drop out of the workforce during childbearing years. Mothers now constitute the fastest growing sector of the entire U.S. workforce. This phenomenon is not surprising considering that women with children also tend to be at the peak of their earning potential. The Women's Policy Institute found in 1996 that women with children work at a higher rate than women overall (67.7 percent compared to 56.8 percent); even women with children under age six are working at a higher rate than women overall (59.7 percent compared to 56.8 percent).

**Kids still need care — around the clock.** As more women have gone to work outside of the home, the domestic responsibilities they once carried have not diminished and working families must struggle to find alternative arrangements for child care. Compounding the problem, many women work in jobs that increasingly operate on 24-hour-a-day schedules. In 1990, the U.S. Department of Labor found that 7.2 million mothers, with 11.7 million children under age 15, worked full- or part-time during non-standard hours. The majority of these women worked off-shifts, not because it helped them meet their child care needs but because the shifts were required by their employers. If finding affordable, high-quality care is difficult during day hours, it is nearly im-

possible to come by during off-hours, as most providers only offer care from nine to five.

**Working women turn to unions.** Considering the struggles working women face juggling home and work responsibilities, it is no coincidence that female membership in unions has been rising since the late '70s. Studies from the last 20 years show that women are more likely to vote for unions than men and unions are much more likely to win elections in workplaces with a substantial majority of women, according to Kate Bronfenbrenner of Cornell University. Union membership still is slightly higher among men than women (17 percent compared to 12 percent), reflecting that jobs traditionally held by men also traditionally have been highly unionized. However, the image of unions as male-dominated organizations has been changing as a result of the organizing successes of the 1970s among occupations heavily staffed by women, including public employees, teachers, and other service employees. According to Dorothy Sue Cobble, in *Women and Unions*, women constituted 50 percent or more of the membership in a number of such unions by 1990.

**Unions make a difference for working families.** Women have benefited from increasing their union participation. In 1996, the Bureau of Labor Statistics found that union women, on average, earned 36.4 percent more a week than non-union women across the workforce. At the same time, the growing numbers of women in unions also have helped bring family issues into the spotlight for international and local unions and the AFL-CIO, and the needs of working families have become an important part of labor's national agenda.

Family benefits such as child care are a major bargaining issue for countless local and international unions representing public and private sector workers. While no comprehensive, scientific study has been conducted, there is strong evidence that the prevalence of negotiated family benefit provisions is significant and growing.

A 1987 study by the National Council of Jewish Women found that 55 percent of unionized workers had the right to job-protected parental leave of eight weeks or more. Among non-union workers, 30 percent had the same benefit. A 1988 survey by the Service Employees International Union found that 84 percent of its public sector contracts provided for at least six months of parental leave. In 1989, the Coalition of Labor Union Women collected model contract language covering child care and other work/family examples in *Bargaining for Family Benefits: A Union Member's Guide*. The publication includes provisions in 75 union contracts from 23 different unions, covering child care, family and parental

leave, and flexible work schedules. In 1992, the Department of Labor completed a study of 452 union contracts, each representing 1,000 workers. Child care benefits were specifically covered in 24 of these contracts covering 867,750 workers.

The database of contract language maintained by the Labor Project for Working Families currently includes over 325 examples of union contracts covering work and family benefits, including paid and unpaid family leave, short-term leave, child care, sick-child care, emergency child care, flexible work schedules, and leave to care for sick children. The database includes contracts from 48 different unions; child care is covered in 35 of these.

Recently, in January 1998, the AFL-CIO Working Women's Department informally surveyed child care benefits in union contracts of six international unions. It found over 1.6 million workers receive some type of child care benefits through their union contract.

Union	No. of Contracts With Child Care Provisions	No. of Employees Covered
AFGE	597	250,000
AFSCME	74	648,000
CWA	4	355,000
SEIU	16	Not Known
UAW	3	397,000
UNITE!	10	36,300
<b>TOTAL</b>	<b>694</b>	<b>1,686,300</b>

Note: Numbers in the table are not comprehensive and underrepresent the number of contracts and employees covered.  
**Source: Union Research Departments**

## COLLECTIVE BARGAINING: A WINNING STRATEGY

Historically, unions have employed several tactics for improving the conditions of working families: strikes, legislation, efforts of women's committees, and court battles. Collective bargaining is one of the most important strategies unions have used.

**Unions and child care.** From the earliest days of the labor movement in this country, unions have consistently advocated for the provision of affordable, high-quality child care. For example, with many women entering the labor market during World War II, the federal government was pushed to set up child care centers nationwide. After the war, as men re-entered the workforce and many women returned to homemaking or

to their traditional, low-wage jobs, labor opposed the dismantling of most of these centers, according to Susan Cowell, writing in Cobble's book on women and unions.

Unions sometimes have provided child care for working people directly and have struggled for child care benefits at the bargaining table. By the early 1960s, the Amalgamated Clothing and Textile Workers' Union was bargaining to provide child care in centers in various cities, including Baltimore and Chicago. In 1968, the AFL-CIO worked to amend the Taft-Hartley Act in order to permit unions to negotiate for child care benefits. Since then, many unions have bargained for child care at the local and national levels, often developing innovative solutions to the needs of working families. Unions also have worked collaboratively with employers, setting up labor/management committees and community consortiums to achieve excellent solutions for the child care needs of their members.

### **PEANUT-BUTTER-AND-JELLY AND BALLOONS: THE HARVARD UNION'S STORY**

One example of a union bargaining for child care benefits is the story of the Harvard Union of Clerical and Technical Workers. In 1989, HUCTW won an historic victory — organizing 3,700 employees at Harvard University. Then, they began working to make the union “a model for women everywhere,” as lead organizer Kris Rondeau put it. After surveying their members, HUCTW identified nine issues as bargaining priorities for their first contract. With 83 percent of their membership female, work/family issues including child care naturally were on the list. According to Rondeau, the union viewed work/family issues as falling into two categories: (1) money and affordability, such as getting funds to ease the financial burden of child care; and (2) time and flexibility, such as more flexibility in scheduling and fewer work rules.

With these goals in mind, the union was determined to make negotiations for the first contract participatory and flexible. Instead of the typical adversarial style of contract negotiations, the union and the administration set up nine bargaining tables to work together to resolve each of the nine issues. But, cooperation sometimes is easier said than done. At the table dealing with work/family issues, some high-level managers who did not have children themselves were opposed to providing financial support for child care. They claimed it was unaffordable and that the university should not be “in the business of child care.” For these managers, child care was an economic issue as well as a “control” issue, according to Rondeau.

Luckily, other managers who had experienced the balancing act between work and family needs allied with union members at the bargaining table.

Meanwhile, the union continued the kind of activism that had helped it win the election. They held “baby picket lines” — members would turn out at lunch time with their children to draw attention to the need for child care. The union made peanut butter sandwiches, had music, provided child care, and gave out balloons. “We tried to paint a picture of the whole worker, to say ‘you can’t take us out of context,’” explained Rondeau. “It was about the quality of work and life for ourselves and our children.”

Ultimately, pressure from within the team at the work/family bargaining table and from job actions on campus worked. HUCTW and the university agreed to establish a child care fund that provides cash grants to members to pay for licensed child care providers. The fund was small at first — only \$50,000 annually as part of the overall economic package — but the work/family bargaining committee agreed that “little help is no help” and worked hard to give members \$3,000 to \$4,000 per semester. The fund has grown to \$175,000 annually and also provides grants for after-school programs.

Since HUCTW won its election victory 10 years ago, the union has made great strides toward making Harvard a place where people can work *and* have kids. The union has won for working parents the right to use sick time to care for sick family members, and for biological mothers the right to take eight weeks of paid maternity leave and the use of sick leave and vacation time for up to 13 weeks to care for their newborn child. Most recently, the union attained the same right for biological fathers and adoptive parents.

### **SUCCESS STORIES: CHILD CARE BARGAINING STRATEGIES**

Child care funds and centers are not the only child care solutions for which unions have successfully negotiated. The following are some of the many kinds of child care strategies unions have won.

**Strategy 1: Resource and referral.** Finding high quality, reliable, affordable care can be very difficult for working parents. Many unions nationwide have bargained for resource and referral programs for their members to help match employees with appropriate and available child care providers, taking into consideration the special needs of each family.

**Strategy 2: Child care funds and tax programs.**

To offset the high cost of child care, a child care fund can be set up to provide reimbursement for child care expenses or payment directly to a child care provider. The Hotel Employees and Restaurant Employees Local 2 in San Francisco, which represents primarily low-wage hotel workers who have difficulty affording the expense of child care, attained a child- and elder-care fund that reimburses eligible members on a monthly basis for their child- and elder-care expenses. Tax programs, like a dependent care assistance plan or a flexible spending account, allow workers to set aside a portion of their earnings in a tax-free account for dependent care expenses.

**Strategy 3: Providing child care.** Many unions have negotiated on-site child care centers. One example is that of the American Federation of State, County and Municipal Employees, which, together with other unions, bargained to establish 50 on-site centers in state facilities across New York State. Unions also have bargained for off-site child care centers, subsidized slots in existing centers, and networks of family day care homes. For example, the International Association of Machinists District Lodge 751 negotiated a pilot program with Boeing to provide child care in near-site centers and through enhanced referral assistance.

**Strategy 4: Back-up and sick-child care.** Back-up care can be provided for mildly sick children, when normal care arrangements fall through, or in other unusual situations, such as snow days. Parents of school-age children may need child care during summer vacations and holidays. Back-up care can be provided through a special program, such as employer subsidies for in-home care or a back-up center, or by allowing parents to use their sick time to care for sick children. SEIU Locals 535, 616, and 790 negotiated an emergency child care fund with Alameda County in California. The fund provides emergency reimbursement up to \$80 a day for parents whose children are mildly sick or, due to an emergency, are unable to use their regular care provider.

**Strategy 5: Extended hours of care.** Many working parents need child care before or after regular school hours or to cover irregular hours when parents work odd shifts. In a unique labor/management partnership, the United Auto Workers coordinated with businesses in Tonawanda, New York, to create a child care consortium. The consortium developed day care programs available before and after school, and during holidays and vacations. The consortium also has an emergency back-up telephone network to provide care for families whose regular provider becomes unavailable.

**Strategy 6: Parental leave (paid and unpaid).**

Parental leave is taken by mothers and fathers to care for a newborn child or an adopted or foster care child. Five states in the U.S. provide temporary disability leave for women for pregnancy or childbirth. Some contracts also contain provisions offering this benefit. Temporary disability leave often is used in combination with parental leave. The best parental leave language provides for paid leave, but many contracts offer unpaid leave as well. The American Federation of Musicians Local 6 negotiated for 13 weeks paid maternity leave for female employees after the birth of a child. Birth fathers and adoptive parents receive one week paid leave after the birth or adoption of a child.

**Strategy 7: Sick time for sick family members.**

Unions have negotiated to allow workers to use their own sick time to care for sick family members. For instance, the International Union of Operating Engineers Local 564 negotiated a donated leave policy with Texas Dow under which employees may use five of their personal sick leave days to care for an ill or injured spouse or child. Employees may use these days in one-half day increments.

**Strategy 8: Short-term leave.** Working families often need the flexibility to take time off in small increments, such as a day or two, a half day, or just a few hours. Unions have bargained contracts allowing members to take time off for various personal reasons, including school-related activities and adoption proceedings. For example, SEIU Local 790 bargained with the San Francisco Unified School District for paid time off for parents and legal guardians to attend conferences with teachers about their children. The benefit allows for release time of up to two hours per semester without loss of pay and with supporting documentation.

**Strategy 9: Flexible work schedules.** Flexible work schedules allow working people to bring home a paycheck and to take care of their families. Changes in the workforce and in work hours make flexible work schedules an increasingly important strategy to help working people balance job and family responsibilities. Flexible work schedules include:

- *Flextime.* This agreement allows employees to start and end work during a specified range of hours. All employees may be required to be present during a core period, usually during the middle of the shift.
- *Telecommuting.* The employee works from a site other than the central worksite, usually from

home, using faxes, email, and other communication technology.

- *Part-time work with benefits.* Although part-time work can give parents flexibility to take care of their children, part-time arrangements often are unaffordable if they do not come with health care and other benefits.
- *Compressed workweek.* Compressed work schedules allow full-time workers to work all their hours in fewer than five days a week.
- *Job share.* Under a job-share agreement, two part-time employees share one full-time job, dividing the full-time salary between them according to hours worked. Benefits and seniority are often pro-rated according to hours worked.
- *Part-time return to work after the birth or adoption of a child.* Many new parents want or need to work part-time.

## CONCLUSION

The issue of child care is a high priority for working parents and their unions. It is not just a women's issue or a personal issue for families to deal with alone. Unions have put child care and work/family issues on the bargaining table, and no longer are they the first thing to go. Unions will continue to negotiate for family friendly benefits, and to advocate for more federal and state child care funding and higher wages for child care providers. More than ever, child care and family issues will continue to be a high priority for labor on the organizing, bargaining, and legislative fronts.

The Labor Project for Working Families maintains a database of over 325 collective bargaining agreements on work/family issues. Its quarterly newsletter, now in its fifth year, highlights some of the unions' successes. The project can be reached at (510) 643-6814, or visit its web page at <<http://socrates.berkeley.edu/~iir/workfam/home.html>>.