

CHANGING WORK IN AMERICA
SERIES

Work, Family, and
the Labor Movement

Lea Grundy and Netsy Firestein
The Labor Project for Working Families

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ABOUT THE LABOR PROJECT FOR WORKING FAMILIES

The Labor Project for Working Families is a nonprofit organization founded in 1992 by the AFL-CIO labor councils in the San Francisco Bay Area. The project, which also works in cooperation with the Working Women's Department of the national AFL-CIO, provides information and technical assistance to unions across the country as they strive to develop workplace policies that benefit workers and their families. It also maintains the nation's only database of resources on union-related work and family issues including child care, elder care, family leave, alternative work schedules, labor/management committees, domestic partner benefits, and other related topics. Resources on these issues include: sample union contract language, legislation and academic research on work and family issues, and examples of model programs and policies including labor, management, and cooperative policies. In addition, the project offers workshops and training sessions, and produces the quarterly newsletter, *Labor News for Working Families*.

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PREFACE

As research director of the Radcliffe Public Policy Institute, I have worked for the last two years on an exciting project known as the New Economic Equation (NEE). The Institute launched this ambitious multiyear initiative with the goal of examining and addressing the connected economic, workplace, and family concerns Americans face today.

Among the NEE's achievements were two major conferences, one in 1995 and one in 1996. For these conferences, the Institute convened a distinguished group of 50 national leaders from business, labor, government, academia, philanthropic organizations, and community groups with the goal of identifying and examining the issues most affecting today's workers, workplaces, and families.

During our many discussions of work and family issues, and of policies and innovations that can help workers better integrate their work and family lives, several conference participants pointed to the history of the labor movement and the successful efforts of unions to address work and family issues. What, they asked, can we learn from labor's experiences? Shouldn't more people—both within and outside unions—know about labor's successful efforts on behalf of better working conditions, child care, elder care, flextime, and family leave?

In the collaborative spirit of the NEE and as part of our commitment to fostering public discourse about strategies for the integration of the work, family, and community lives of American workers, the Radcliffe Public Policy Institute commissioned Lea Grundy and Netsy Firestein of the Labor Project on Working Families in Berkeley, California to prepare a report describing the labor movement's recent successes in the area of work and family policies and benefits. This publication, *Work, Family, and the Labor Movement*, is the culmination of their careful and thoughtful efforts.

This report provides a concise and accessible review of the labor movement's

approach to work and family issues, and of its legislative and negotiating strategies for helping American workers make their lives outside of the office or the factory count for just as much as their obligations to their jobs. By highlighting innovations, Grundy and Firestein help enlarge our knowledge of the range of options available to employees and employers seeking to improve the work, family, and community lives of all workers, both women and men.

We are also grateful to Lynn Williams, retired international president of the United Steelworkers of America and a valued participant in the New Economic Equation project, for writing a thoughtful and inspiring introduction to this report. The Radcliffe Public Policy Institute is pleased to share this information, which we hope will make a significant contribution to the public discussion of the array of options facing American workers, their employers, their families, and their communities.

Françoise Carre
Research Director
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Cambridge, Massachusetts
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INTRODUCTION

I was privileged to be a participant at the two New Economic Equation (NEE) conferences held in 1995 and 1996, which were sponsored by the Radcliffe Public Policy Institute under the leadership of Institute director Paula Rayman. The purpose of the conferences, along with focus groups and other related research activity, was to enable a diverse group of national leaders to be participants in the Institute's goal of initiating "a broad research and policy agenda that reflects a new way of thinking about the connection among economic transformation, the organization of work, and the dynamics of gender roles and family life."

It was an inspiring experience. Profound concern with the importance and the challenges of work, gender, and family issues in our turbulent economy was universally evident among the participants, who represented a widely divergent range of academic, business, labor, and professional backgrounds and experiences. The *New Economic Equation Report* and the *New Economic Equation 10-Step Guide to Work, Family, and Community Integration*, which were published following the second conference, reflect this concern and provide an action program on the basis of which to move forward.

The labor movement, as it responds to the needs of its membership, lives the reality of these issues on the ground, every day. Unions work to meet family needs through a variety of approaches, including legislative action, community programs, direct support activities, and collective bargaining. It is to the last of these, what unions are attempting and accomplishing in addressing these issues by means of collective bargaining, that this report is particularly directed.

It occurred to me as the NEE project focused on these concerns—of family care, of parenting, of managing work and family responsibilities in an era of dramatic economic and technological change—that everyone who cares about these issues, including the labor movement itself, should be much more aware of what is being proposed and achieved in the world of collective bargaining.

Do collective agreements in America reflect the need for child care, for elder care, for flexible working arrangements and schedules, for family time, for income and benefit protections? We knew that a good deal was happening, but we also knew that information about what was happening should be much more accessible, so that it could be shared and evaluated, and could provide the foundation for future growth and development.

Paula Rayman was most supportive of this kind of an assessment of related collective bargaining activities as a follow-on project for the NEE. Karen Nussbaum, director of the Working Women's Department of the AFL-CIO, was very affirmative as to

its value as well. This paper, by Netsy Firestein and Lea Grundy, is the result.

We turned to Netsy Firestein because she is directing the most active labor effort in America focused exclusively on this set of issues, the Labor Project for Working Families in Berkeley, California. This project is building a database of what is being accomplished with regard to work and family concerns in the enormous variety of collective bargaining circumstances that occur all across America. This report provides us a most insightful overview based on this and other information that she and Lea Grundy have been able to assemble.

It is immediately apparent that these issues are very much on labor's bargaining agenda and that, as is so frequently the case, some extremely creative and effective collective agreement provisions and programs have been developed. It is also apparent that there is an enormous amount still to be accomplished, whether it be in sharing success stories, in broadening understanding, or in overcoming opposition—from whatever sources—in order to achieve the personal and family needs of our rapidly changing society. We must remember, for example, that collective agreements are *agreements* and require the approval of two parties—they cannot just reflect the desires of one.

These are issues which cannot wait. These are issues that go directly to the heart of what the quality of life is to be in our society today and of what foundation will be laid for the quality of life in our society tomorrow. There is unanimity around the ideas that families matter, that child rearing and other family responsibilities are crucial, and that these concerns are inextricably interrelated.

These concerns are also inextricably connected with the world of work. Both economic sustenance and equality of opportunity require that new and much more imaginative work arrangements be devised in order that women and men may effectively and successfully, indeed joyfully, meet all of these objectives: earning a living, achieving personal goals, nurturing and inspiring children, caring for elders, and contributing to community life.

Unprecedented levels of economic growth driven by the technological revolution, the extraordinary amounts of wealth being created by this growth, and the inherent flexibility of these technologies themselves provide us with unique opportunities to move to new and unimagined ways of organizing our working and societal lives and of meeting the responsibilities of both sustainable economic and human development.

We must not permit this moment to slip away or to be lost in greed and materialism for their own sakes, without regard to the quality of life which it has the capacity to bestow. We must pursue the goals of the NEE by every means available to us—education and example, information and inspiration. This report sets out the very special role that unionized workers and employers have, by means of collective bargaining, in ensuring that this opportunity is pursued with vigor, imagination, and success.

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Lynn Williams
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WORK, FAMILY, AND THE LABOR MOVEMENT

LEA GRUNDY AND NETSY
FIRESTEIN

THE LABOR PROJECT FOR WORKING FAMILIES

FAMILY ISSUES ARE UNION ISSUES

For nearly a century, unions throughout this country have struggled at the bargaining table and in state and national legislatures to make it possible for working families to survive—and to live well. Thanks to the efforts of unions, many working people have earned enough through wages and other benefits to take care of life's necessities and to be able to afford small luxuries: to buy a house, to drive a car, to pay medical bills, to send their children to college, and to retire with dignity and security instead of hardship. Unions have also 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 week-ends off, the eight-hour day, and overtime compensation.

Today, labor unions are reaching out to the many men and women who work in unorganized industries and for nonunion employers. As the real value of wages fell over the last few decades, many women entered and stayed in the labor force while continuing to care for their families. Women now make up nearly half the United States workforce, and women with children are one of the fastest-growing groups of workers in the country. Unions recognize this reality and, as the labor movement becomes increasingly focused on organizing, family issues are becoming organizing issues as well as bargaining and legislative issues.

Work and family policies reflect some of the best principles of the United States

labor movement: that workers should be able to support themselves and those who depend on them 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 lawmaking, especially in the face of today's difficult and unpredictable economic conditions.

This paper begins with a brief description of the current demographics of working families in the United States and unions' responses to it. This is followed by an overview of the history of unions' efforts and perspectives on work and family. Two important strategies, the legislative approach and collective bargaining, are discussed in the context of two case studies, the Family and Medical Leave Act and ongoing efforts to attain adequate child care. The main focus of the paper is on labor's achievements around work and family issues at the bargaining table. Striking examples of such achievements are outlined in a series of "success stories" that show how some local and international unions have bargained to improve conditions around specific issues including child and elder care, family leave, and the need for alternative work schedules. Unions are doing their part to develop creative and innovative solutions for the needs of working families. This paper provides an introduction to some of the best labor strategies for families today.

What Are Work and Family Issues All About?

Today's working families are stretched thin. Economic necessity pulls away from home: many families must have two wage earners bringing home paychecks in order to survive. Domestic necessity pulls workers from inside the home: children, elderly parents, and myriad other household responsibilities are constantly in need of attention. The concerns that emerge as working people struggle to meet both domestic and economic demands are often lumped together as "work and family issues." Most important among these issues are:

- **Child Care:** Child care is the nurturing and supervision of children at home, in centers, or in homelike settings. Child care is needed not only during regular work hours for healthy kids, but also after school, in emergency situations, for sick children, on vacations and holidays, and during extended and off-hours for parents who work irregular shifts.
- **Elder Care:** Elder care is the support and nurturing of older family members or other elderly dependents. Elder care may consist of visits or phone calls; direct assistance with personal care; help with housework, shopping and errands; and help with financial and legal problems.
- **Parental and Family Leave:** Parental leave is leave from work to bear, bond with, and 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.

- **Alternative Schedules:** Alternative schedules include work schedules that allow working people to manage day-to-day family needs while continuing to work. Alternative schedules may be accomplished through flexible scheduling, but also through flexibility in place of work or through arrangements such as job shares or part-time work with benefits.

Women, even women who have worked outside the home, historically have carried the primary responsibility for meeting domestic needs: bearing children, caring for children and elderly relatives, maintaining the home, and adjusting their schedules and outside work commitments around these duties. Thus, work and family issues have traditionally been considered women's issues in our society. During the 1970s and 1980s, however, the impact of more and more women entering the paid work force became increasingly noticeable, affecting families across the country and individuals of all racial and ethnic backgrounds. Work and family issues became a national "hot topic" as recognition grew that working women cannot also bear all the responsibility for the care of children and the elderly and the creation of nurturing homes.

Many employers recognize the need for solutions to the difficulties faced by working families, but employers often differ from unions on what these solutions should be. For instance, employers often stress the need for flexibility in scheduling and work site, rather than the need for paid leave or other such direct benefits. This kind of flexibility can help workers balance work and family pressures. Without contractual or legal protections, however, flexibility can be more beneficial for employers than workers, as employers may demand long or irregular hours without providing employment stability.

No perfect solutions have yet been found to ease the burdens of working families, especially those of working women. In the home, working women still bear more responsibility for household duties after work than men do, and women are more likely to take poorly compensated part-time work in order to have the flexibility to meet the needs of their families (Galinsky, et. al., 42–43, 74–75). At the national level, the United States still lags behind other industrialized nations in developing family-friendly policies such as nationalized child care or paid parental leave (Sweeney and Nussbaum, 107–108). In this context, labor unions across the country are working through collective bargaining and legislative efforts to create rights and protections to help people struggling to meet the demands of their jobs and fulfill the needs of their families.

Unions Rise to the Challenge of Helping Today's Working Families

Major changes have occurred for working families in the United States over the last three decades. Shifting economic conditions and the changing roles of women, who now have greater educational and reproductive choices than ever before, have contributed to an increase in the number of two-earner families. The numbers of single-parent families and

other kinds of families who do not fit the traditional definition of family have also grown substantially. In addition, as our population ages, more working people are becoming responsible for the care of elderly relatives.

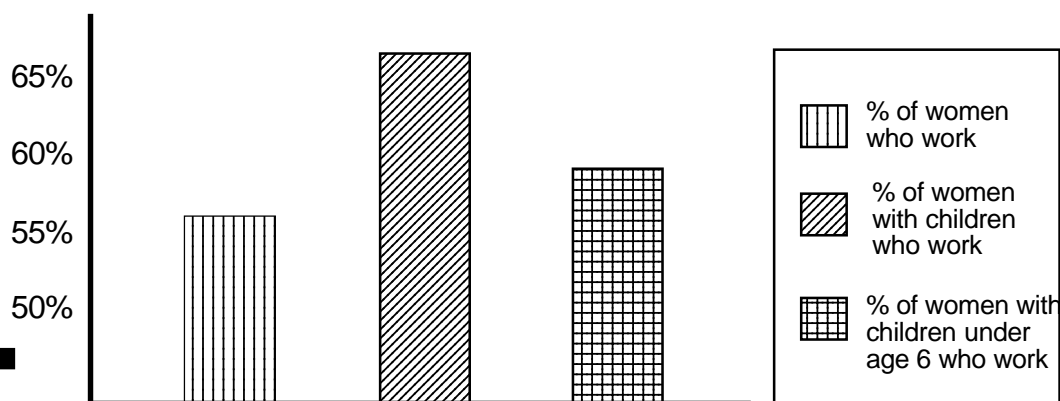
During the same period, more women have been organizing. The result has been an increase in the number of women in the labor movement and better wages and family benefits for women in unions.

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. In fact, between 1965 and 1990, women's labor force participation rate increased from 39 percent to 58 percent (Institute for Women's Policy Research, 18–19). While many women certainly entered the workforce as a result of the women's movement and equal opportunity laws, many others went to work so that their families could survive financially. As men's earnings fell, women's paychecks picked up the slack, preventing what would have been a drop in family income of almost 20 percent by the late 1980s (Sweeney and Nussbaum, 103).

Mothers in the Workforce

Because their earnings are so important for their families, fewer and fewer women now drop out of the workforce during child-rearing years. An important effect of this phenomenon is that mothers now constitute the fastest-growing sector of the entire United States workforce. This is not surprising; many women reach the peak of their earning potential during their child-rearing years. Women with children work at a higher rate than women



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overall as they are at the peak of their working years (67.7 percent to 56.8 percent). Even women with children under age six are working at a higher rate than women overall (59.7 percent to 56.8 percent). See graph below (Institute for Women's Policy Research, 19-20).

Children and Elders Still Need Care—Around the Clock

Although more women work outside of the home, the domestic responsibilities they once carried have not diminished. While many women still have primary responsibility for

family needs, the pressures of balancing work and family are increasingly an issue for working men as well. Nearly half of all employed men and women are responsible for the care and nurturing of children or elderly relatives.

**Dependent Care Responsibilities of Working People:
Sample of 2,958 Wage and Salaried Workers (Galinsky, et. al., 36)**

Workers with any dependent care responsibilities	47%
Workers with child care responsibilities for children under age 18	42%
Workers with elder care responsibilities or responsibilities for a disabled adult over age 18	8%

At least one study shows that 56 percent of people in the workforce who care for elderly family members or friends are women and 44 percent are men, despite the common assumption that women provide far more of the care for elders. On average, caregivers for elders provide almost 12 hours of care each week (Galinsky, et. al. 50–51.)

With women now unable to devote full-time energies to caring for children and elders, working families must struggle to find alternative arrangements for dependents. Compounding the problem, many women work in service jobs, which operate more and more on 24-hour schedules. In 1990, 7.2 million mothers, with 11.7 million children under age 15, worked full or part time during nonstandard hours. The majority of these women worked off-shifts not because it helped them meet their child-care needs, but because it was required by their employers. If finding affordable, high-quality care is difficult during day hours, it is nearly impossible during off-hours, as most providers only offer care from 9 a.m. to 5 p.m. (US Department of Labor, 1995, 9–11).

Working Women Turn to Unions

Considering the struggles working women face in the daily juggling act between home and work responsibilities, it is probably not coincidental that female membership in unions has been rising since the late 1970s. 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 (Cobble, 10 and Bronfenbrenner, 4). Union membership is still a little higher among men than women (17 percent to 12 percent), reflecting that jobs traditionally held by men have also traditionally been highly unionized.

However, the image of unions as strictly the domain of men has been changing since the 1970s when organizing successes in heavily female industries created the public employees', teachers', and other service employees' unions. By 1990, women constituted 50 percent or more of the memberships of the American Federation of Teachers (AFT), the American Federation of State, County and Municipal Employees (AFSCME), the Communi-

cations Workers of America (CWA), the National Education Association (NEA), the Service Employees International Union (SEIU), the United Food and Commercial Workers (UFCW), and the former textile unions, now the Union of Needletrades, Industrial and Textile Employees (UNITE!) (Cobble, 11).

Unions Make a Difference for Working Families

Women as individuals have benefited noticeably from increased union participation. In 1996, union women on average earned 36.4 percent more per week than nonunion women across the workforce (Bureau of Labor Statistics, 4/25/97). At the same time, the growing number of women in unions has also helped bring more family issues into the spotlight for international and local unions and the AFL-CIO. Throughout the 1980s, the needs of working families were an important component of labor's national agenda.

Family benefits have become a major bargaining issue for countless local and international unions representing public- and private-sector workers throughout the country. While no comprehensive, scientific study has been done nationwide on the number of local and international unions that have negotiated family benefits, the numbers are significant and appear to be growing. For instance, 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. Only a little over 30 percent of nonunionized workers had the same benefit. Similarly, a 1988 survey by AFSCME of its own locals found that 85 percent of its contracts guaranteed job-protected parental leave, and an SEIU survey from about the same time found that 84 percent of its public-sector contracts provided at least six months of parental leave (York in Cobble, 130-132). In 1992, the Department of Labor completed a study of 452 contracts, each representing 1,000 workers. The study found that just over 50 percent of these contracts contained some provision relating to maternity and paternal leave, adoption, child care, leave for family illness, employee assistance programs, elder care, and/or prohibitions against discrimination based on an employee's marital status (US Department of Labor). As of 1997, the Labor Project for Working Families has developed a database containing more than 450 examples of union contracts covering work and family benefits.

FAMILY ISSUES HAVE ALWAYS BEEN UNION ISSUES

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In 1986, the AFL-CIO Executive Council issued a resolution pledging the continued support of labor for working families and urged that legislative action be taken on a broad range of family life issues:

The family is the key to social stability, community progress, and national strength. To strengthen the family is at the heart of the labor movement's long struggle to raise wages and living standards; to democratize education, leisure and health

care; to broaden individual opportunity; and to secure dignity in old age. In the conviction that work, and the rewards of work, are the foundations of the stable, hopeful family life, unions have sought to advance the welfare of working people and their families through collective bargaining and through legislative and political activity (AFL-CIO, 45).

This resolution was only one recent manifestation of labor's long tradition of demanding that working people be seen as human beings who exist within the context of their families, instead of just as factors of production. Beginning in 1959, the national AFL-CIO laid out an agenda for working families based on a long history of efforts by many individual union members. This agenda included an end to job discrimination, equal pay for equal work (later called comparable worth), maternity leave (later called family leave), expanded child care, and greater participation of women in unions (Cowell in Cobble, 118).

One of organized labor's most important family-friendly causes for many years was the "family wage." The idea behind this struggle was that every worker should earn wages sufficient to support a family. Originally, the need for a family wage was seen by many as applying to men only, but the concept has developed over time to include all workers. Today, unions strongly back minimum-wage and "living-wage" efforts, including the increases in the federal minimum-wage law and several state minimum-wage laws in 1996. Living-wage campaigns in communities across the country have drawn together coalitions of unions, community groups, and others to pass legislation linking wage levels to living standards. Living-wage regulations often require any employer receiving public funds to pay wages that provide a basic, decent standard of living for all workers and their families.

The Coalition of Labor Union Women (CLUW), founded in 1974, has played a particularly important leadership role in helping to bring work and family issues to the fore. For example, in 1988 CLUW sponsored a national demonstration called "The American Family Celebration," which brought 40,000 union members and their children to Washington to lobby for the "American Family Bill of Rights." This Bill of Rights included the right to a job, to economic security, to health care, to quality education, and to equal opportunity. It also recognized the diversity of family makeups in the United States (Bravo, 183). CLUW also created the classic guide to negotiating work and family benefits in union workplaces, *Bargaining for Family Benefits* (Coalition of Labor Union Women, 1991).

The many pro-family causes that labor continues to champion today include a living wage and other minimum-wage laws; affordable, high-quality child care; and family and medical leave. Labor also continues to be a driving force for other issues important to families such as the eight-hour day; the 35-hour week; protections against sweatshops, homework, and child labor; well-paid part-time work with benefits; free public education; health-care benefits for families; and social security.

Throughout the history of the labor movement, unions have tackled the need for improved conditions for working families in many ways—through strikes, through the efforts of women’s committees, and by waging court battles for the enforcement of laws. Two of the unions’ most important strategies have been legislation and collective bargaining.

The Legislative Strategy: The Family and Medical Leave Act (FMLA)

A classic success story of a legislative accomplishment on behalf of working families is the Family and Medical Leave Act, although this ground-breaking legislation does have room for improvement. Labor has also worked with lawmakers on initiatives that go beyond the reach of the FMLA, including work on such issues as a living wage and child care.

What is the FMLA?

Passage of the FMLA was accomplished by a broad, grassroots coalition with strong union leadership. Under then-president John Sweeney, the Service Employees International Union (SEIU) became the first union to make passage of the FMLA priority. As the years passed, other unions also gave their support, including the American Federation of State, County and Municipal Employees (AFSCME), the International Ladies’ Garment Workers’ Union (now UNITE!), the United Steelworkers of America (USWA), the American Federation of Government Employees (AFGE), and the United Auto Workers (UAW) (Skrabut, 4/9/97). Most employer groups, on the other hand, opposed it.

Despite strong opposition, the FMLA became finally federal law in 1993, providing coverage for eligible employees working for all public employers and for private employers with 50 employees or more. Under the FMLA, an eligible employee may take up to 12 work weeks of unpaid leave in each 12-month period for:

- a serious health condition that causes the worker to be unable to perform his or her job;
- to care for a seriously ill child, spouse, or parent;
- for childbirth or to care for a newborn child up to the age of one year; and
- for the placement of a child for foster care or for adoption.

(Schwartz, 16)

Employees taking advantage of FMLA leave may use it all at once or at different times over the course of a year. If needed for a serious health condition or to care for an ill family member, the leave may be taken intermittently. During this leave, the employer must continue to provide health benefits as if the employee were still working, and when the employee returns to work she or he must be given the same or an equivalent position. Finally, employers may not discriminate against employees on the basis of having taken leave under the FMLA (Schwartz, 17-19).

The FMLA Is Not Enough

While the FMLA is a step in the right direction toward providing family-friendly

policies at the national level, it has some serious limitations. For instance, only 43 percent of women and 48 percent of men are covered under the eligibility guidelines of the FMLA, the definition of family under the law is not broad enough, and too few people can afford to take the unpaid leave the Act offers (Bravo, 43).

Because of weaknesses in the law, legislative and collective bargaining strategies are being used to try to expand benefits beyond what is provided by the FMLA. For example, in 1996 a bill was introduced in New Jersey to provide workers with up to 12 weeks of paid family leave by extending that state's temporary disability insurance program. A similar 1997 California bill proposes to extend disability benefits through the state's disability fund to workers on FMLA leave.

Many unions also are using collective bargaining to extend the reach of the FMLA by negotiating for:

- coverage for all bargaining unit employees, not just those who meet eligibility requirements under the law;
- paid family leave;
- increased length of leave time;
- limiting an employer's right to require that workers use their accumulated paid leave, such as vacation, for FMLA leave;
- continuation of all fringe benefits during FMLA leave, not just health coverage;
- an expanded definition of family to include, for example, grandparents, domestic partners, and in-laws;
- continued accrual of seniority during FMLA leave;
- allowing parents to return to work on a reduced schedule after the birth, adoption, or foster-care placement of a child.

Some of the many work and family benefits negotiated by individual unions to expand the reach of the FMLA are included in the "Success Stories" beginning on page 14.

The Collective Bargaining Strategy: Child Care

At the bargaining table, local and national unions have made great strides in winning benefits for workers and their families on a wide range of issues. An example of an area in which labor unions used collective bargaining with great success is 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 reentered the workforce and many women returned to homemaking or to their traditional, low-wage jobs, labor opposed the dismantling of most of these centers (Cowell in Cobble, 120).

Labor's model for adequate child care for all has been to work for a federally funded, nationally subsidized, universal child-care system. Labor has also called for nationally established child-care standards. For example, in 1973 and 1975, the AFL-CIO called for child care to be offered universally in the public schools according to federal standards. Unfortunately, government has not been responsive to the idea of creating a public-sector solution to the need for affordable, high-quality child care. Rather, government has looked to

the free market to address working families' need for care.

In response, unions have provided child care for working people directly and have also struggled for child-care benefits at the bargaining table (Cowell in Cobble, 120). By the early 1960s, the Amalgamated Clothing and Textile Workers' Union (ACTWU) was using collective bargaining to provide child care in centers in various cities, including Baltimore and Chicago. In 1968, the AFL-CIO was a player in amending the Taft-Hartley Act, which made it possible to negotiate over child-care benefits at the bargaining table (Miller in Cobble, 144). 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 often work collaboratively with employers through the collective bargaining process to achieve excellent solutions for the child-care needs of their members, such as community consortia. Unions have also negotiated to create labor/management child-care committees in many workplaces.

SUCCESS STORIES

Child care is just one of the many work and family issue on which unions have successfully used a collective bargaining strategy. This section provides an introduction to some of the best contract language in the country related to work and family needs, including examples of some of the most innovative strategies unions are using to deal with work and family issues. However, these examples only represent a handful of the many different kinds of solutions unions have negotiated to address family needs—with commitment and creativity, unions are developing new solutions all the time.

It should be noted that when bargaining family-friendly benefits such as those described below, many unions have also expanded the definition of family in contract language. For instance, many contracts extend family benefits to domestic partners, grandparents, and in-laws, as well as to other family members, in order to reflect the real lives of families today.

Contract examples are grouped in four broad categories: child care, elder care, parental and family leave, and alternative scheduling.

Child Care

Child care is a service many working families will need at one time or another.

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Child-care benefits negotiated by unions include: resource and referral services, dependent care assistance plans (DCAPs) and flexible spending accounts, child-care funds, on-site and near-site child-care centers, child care with regular extended hours, after-school child care, sick child care, and child care for holidays and emergencies.

Child-Care Funds (may include cash subsidies, employer-provided vouchers, subsidized slots) and Resource and Referral Services

- 1199 Health and Human Services Employees Union NYC and Contributing Employers: The 1199 Health and Human Services Union negotiated in 1989 for a child-care fund, which, by 1992, had been expanded to cover 168 hospitals and health facilities and 39,000 members. Employers contribute a percentage of gross payroll to the fund. A labor/management committee at each institution then decides what benefits to offer at that site. Benefits offered include: cash vouchers for child care and after-school care, summer camp subsidies, child-care resource and referral services, a holiday program, a cultural arts program, and a child-care center.

On-Site and Near-Site Child-Care Centers

- International Association of Machinists (IAM) District Lodge 751 and Boeing Co.: The IAM and Boeing in Washington state, Wichita, and Portland (Oregon), negotiated a pilot program to provide child care in near-site child-care centers and through enhanced referral assistance.

Child Care with Extended Hours

- United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) and the Tonawanda Business Community Child Care Consortium: The UAW worked with businesses in Tonawanda, New York, to create a child-care consortium. The consortium then developed day-care programs available in the daytime, before and after school, and during holidays and vacations. The consortium also arranged for an emergency backup telephone network to provide care for families whose regular provider becomes unavailable.

Sick and Emergency Child Care

- Alameda County Employees Labor Coalition/Service Employees International Union Locals 535, 616, 790 and Alameda County, California: The unions negotiated for a fund to pay for emergency reimbursement for parents whose children are mildly sick or who, for some other emergency reason, are unable to use their regular care provider. Employees may receive reimbursement of 90 percent of up to \$80 per day to a maximum of \$350 per year for sick or emergency child care. The employer also has a contract to provide resource and referral services for families who need sick or emergency care.

Elder Care

Because elder care is one of the least recognized needs of today's workers, it is an area of family benefits where fewer solutions have been developed. Elder care is most often addressed by providing resource and referral services, through family leave that can be used to care for an elder, or through dependent-care benefits, which can be applied to elder-

care expenses. Elder care is less commonly addressed by providing direct care, such as in centers, or through long-term care insurance.

Elder-Care Funds

- Hotel Employees and Restaurant Employees International Union (HERE) Local 2 and San Francisco Hotel Multi-Employer Group: HERE Local 2 bargained with the 37-hotel employer group to provide a child-care and elder-care fund to provide up to \$150 per month for the unreimbursed elder-care expenses of up to 100 eligible members. Covered expenses include services related to the health and basic needs of the member's spouse, parent, parent-in-law, grandparent, or domestic partner.

Long-Term Care and Resource and Referral Services

- United Automobile, Aerospace and Agricultural Implement Workers of America and Chrysler: The UAW and Chrysler negotiated a long-term care pilot project, which would provide assistance at home for severely impaired UAW employees, some retirees, surviving spouses, and eligible dependents at the Twinsburg, Ohio, plant. Assistance at home would include home care, respite, adult day care, home-delivered meals, transportation, and some custodial nursing home care. It also would provide information and referral about long-term care resources.

Parental and Family Leave

Working people need time away from work to bear children and to bond with new babies and older children who are newly placed for adoption or foster care. It is also vital that a family's working members be able to take time off to take care of regular personal and family needs and emergency situations.

Parental Leave (Paid and Unpaid)

- American Federation of Musicians Local 6 and the San Francisco Symphony Orchestra: The union 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.
- American Federation of State, County and Municipal Employees (AFSCME) Local 11 and the State of Ohio: AFSCME Local 11 negotiated with the state to provide four weeks of paid leave for the adoption or birth of a child at 70 percent wage replacement. Employees may use other forms of unpaid leave to supplement the wage replacement and are also eligible for up to six months of unpaid leave for adoption or birth of a child.

Sick Time for Sick Family Members

- International Union of Operating Engineers (IUOE) Local 564 and Texas Dow: The IUOE Local 564 negotiated a donated leave policy with Texas Dow under which employees may use five of their personal sick leave days to attend to the illness or injury of immediate family members (spouse or children). Employees may use these days in half-day increments.

Short-Term Leave

- Service Employees International Union (SEIU) Local 790 and the San Francisco Unified School District: SEIU Local 790 bargained for paid time off for parents and legal guardians to attend parent-teacher conferences. The benefit allows for release time of up to two hours per semester without loss of pay and with supporting documentation.

Leave for Domestic Violence Victims

- American Federation of State, County and Municipal Employees; Service Employees International Union; and the Commonwealth of Massachusetts: The two unions negotiated with the state to allow employees who are victims of domestic violence or whose children are victims of domestic violence to use up to 10 sick days each year for legal and other related activities.

Alternative Work Schedules

One of the most important concerns of today's working men and women is flexibility in scheduling and control over their working hours. Unions have negotiated contracts providing for alternative work schedules that include flextime, compressed work schedules, telecommuting, part-time return to work, part-time work with benefits, job sharing, shift swaps, and voluntary reduced time.

Flex Time

- International Brotherhood of Electrical Workers (IBEW) Local 1245 and Pacific Gas and Electric Hayward Administrative Services: The IBEW Local 1245 bargained with Pacific Gas and Electric for a flextime policy that would allow workers flexibility in their start and end times each day. All employees must be at work during core hours, defined as 9:00 a.m.–11:00 a.m. and 12:30 p.m.–2:30 p.m., and must work an average of seven-and-a-half hours each day. However, workers have flexibility in scheduling start and end times as long as they arrive no earlier than 6:30 a.m. and leave work no later than 6:00 p.m.

Compressed Work Week

- International Brotherhood of Teamsters Local 830 and Philadelphia Coca-Cola Bottling Company: Teamsters Local 830 and the bottling company agreed on several scheduling options for a flexible work week. Under the contract, a specified number of employees may be scheduled for three-day, four-day, and five-day work weeks. The three-day week consists of three consecutive 13.33-hour days, the four-day week consists of four consecutive 10-hour days, and the five-day week consists of the traditional five consecutive eight-hour days.

Telecommuting

- International Brotherhood of Electrical Workers Locals 827 and 1944 and Bell Systems: The IBEW locals negotiated a comprehensive telecommuting alternative work arrangement with Bell Systems that allows clerical employees to work from home. The employer bears the cost of providing employees with telephone lines and other equipment necessary for performing their jobs. The agreement also provides workers with 30 minutes per month of paid time to attend union meetings and with voice mail to allow the union to communicate with employees.

Part-Time Return to Work

- University of Connecticut Professional Employees Association Local 3696/American Federation of Teachers and the University of Connecticut: University of Connecticut employees won a contract allowing parents to return to work part time for up to six months following the birth or adoption of a child. Employees may extend this part-time schedule for up to 12 months subject to management approval.

CONCLUSION

Traditional union issues—decent wages, health care, pension benefits, vacation time, sick time, and the eight-hour day—are family issues as well. But family issues also include a broader range of workplace policies and benefits that allow workers to care for their families *and* work for a living wage. These include child care, elder care, paid family leave, shorter work weeks, and flexible work schedules, among others. Unions are in the forefront of the effort to help working families, advocating for work and family benefits for all working families of all incomes: Those who work traditional hours and those who work evenings and weekends; those who work in offices, in factories, and in nursing homes; those with high incomes and those earning minimum wage.

Families today are working long hours, taking kids to school, trying to get home in time for the Little League game, attending school conferences and performances, meeting with teachers when there are problems, helping older parents with finances or meals,

making arrangements for home health care or a nursing home for an elderly parent. The list goes on and on, and it sometimes looks as if there is no relief in sight. In addition to time to juggle all these demands, working families need more time to relax, to volunteer in the community, to spend with their kids, their parents, their relatives, and friends.

Many workers are spending more time than ever at work, while others report that they rely on overtime to make ends meet. For those workers holding down two to three jobs just to survive, the juggling act is especially difficult.

The typical American workplace is not structured or designed with families in mind. And, while much-needed work and family benefits often help ease the burden on working families, they often enable people to spend more time at work and away from their families. For example, a sick child-care center allows a parent to go to work rather than stay home with a sick child. Compressed work weeks enable workers to work 10 or 12 hour days in order to have a day off. Services that help with elder-care responsibilities or assist children with their homework are valuable, but they do not necessarily give workers more family time. Instead, they allow us to have our families taken care of so that we can work. While this is certainly necessary, it is not enough—often what workers today most need is more time and less stress.

Unions are negotiating terrific and innovative programs and benefits, such as those described in this report. In several successful model cases, labor and management have worked together on work and family issues, creating innovative partnerships to extend child care and forming child-care and elder-care committees that have worked hard to create solutions. Unions have pioneered benefits for low-wage workers, child-care and elder-care development funds, retirement support programs, and child care beyond nine to five.

The majority of workers, however, still do not have access to work and family benefits. Contingent workers, low-wage and low-skilled workers, and those working for smaller employers rarely receive benefits such as child care or paid family leave. For those working nontraditional hours, child care is often difficult to find and inadequate at best.

Work and family benefits will never reach a broad spectrum of workers as long as they are bargained workplace by workplace and company by company. We need a national work and family policy that will guarantee the kinds of benefits that families need. Such a policy would include paid family and parental leave, flexible work schedules, and affordable, quality child care. Currently if a worker receives work and family benefits, it is because he or she belongs to a union that negotiated them in a union contract or because he or she works for a company that provides them. If a worker changes jobs or if his or her nonunion employer changes its policies, the worker is, as the saying goes, “out of luck.” He or she will no longer have child care at the workplace or paid time off. We cannot rely on a piecemeal system that leaves out the majority of workers.

The Family and Medical Leave Act was an important first step, and, over the last year, bills have been introduced in Congress to expand it. Several states are considering bills that would provide paid family leave through their temporary disability systems. Many unions have expanded on the Family and Medical Leave Act by negotiating for stronger

family-leave provisions, such as paid leave, leave for all employees at a work site, or extended leave. There have also been state and federal initiatives to provide funding for after-school programs, expand tax credits for child care, and allow sick leave to be used for family members.

Work life and family life should not be in opposition to each other. This is the central theme of the Radcliffe Public Policy Institute's New Economic Equation project. Family issues and family life must be central to all examinations of economic issues, work time, and the structure and organization of work. What do families need to function and stay healthy? What makes workplaces more productive? What are the options for shorter work weeks? How can work and work hours be restructured to accommodate family life while achieving business goals and building a strong economy?

Meanwhile, labor unions continue to fight for more policies for families at the bargaining table and in the legislative arena. Unions will advocate for all workers to be covered by work and family benefits. And they will let the public know that often when a company has work and family benefits, it is because a union negotiated for those benefits. They will work to negotiate for paid family leave, flexible work schedules, health coverage, affordable child care that is available where and when workers need it, elder-care services, living wages, pensions, and paid time off for families. Unions will continue to put the needs of working families first.

REFERENCES

AFL-CIO. *Putting Families First: AFL-CIO Working Family Resource Guide*. AFL-CIO: Washington, DC. 1992.

Bravo, Ellen. *A 9 to 5 Guide: The Job/Family Challenge*. John Wiley and Sons, Inc.: New York, New York. 1995.

Bronfenbrenner, Kate. *Successful Union Strategies for Winning Certification Elections and First Contracts: Report to Union Participants*. Unpublished document. 1988.

Bureau of Labor Statistics World Wide Web site. <http://stats.bls.gov:80/newsrel.htm>. Last modified 1/31/97. (4/25/97).

Bureau of National Affairs, Inc. *Work and Family and Unions: Labor's Agenda for the 1990s*. Bureau of National Affairs, Inc.: Washington, DC. 1989.

Coalition of Labor Union Women. *Bargaining for Family Benefits: A Union Member's Guide*. Coalition for Labor Union Women: New York, NY. 1991.

Cobble, Dorothy Sue, ed. *Women and Unions: Forging a Partnership*. ILR Press: Ithaca, NY. 1993.

Galinsky, Ellen, James Bond, and Dana Friedman. *Highlights: The National Study of the Changing Workforce*. Families and Work Institute: New York, NY. 1993.

Institute for Women's Policy Research. *The Status of Women in the States: Politics, Economics, Health, Demographics*. Institute for Women's Policy Research: Washington, DC. 1996.

Schwartz, Robert. *The FMLA Handbook: A Practical Guide to the Family and Medical Leave Act for Union Members and Stewards*. Work Rights Press: Cambridge, MA. 1996.

Skrabut, Cathy. SEIU Public Policy and Legislation Department. Personal interview. 4/9/97.

Sweeney, John and Karen Nussbaum. *Solutions for the New Work Force: Policies for a New Social Contract*. Seven Locks Press: Washington, DC. 1989.

US Department of Labor, Bureau of Labor-Management Relations and Cooperative Programs. *Work and Family Provisions in Major Collective Bargaining Agreements*. U.S. Department of Labor: Washington, DC. 1992.

US Department of Labor, Women's Bureau. *Care Around the Clock: Developing Child Care Resources Before Nine and After Five*. US Department of Labor: Washington, D.C. 1995.

York, Carolyn. AFSCME Women's Rights Department. Personal interview. 4/15/97.

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