

# The Washington Times

## Finding an alternative to paid family leave

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July 24, 2018

Earlier this week, a Senate subcommittee held a hearing on government-supported paid family leave, with Sens. Joni Ernst, Iowa Republican, and Kirsten Gillibrand New York Democrat, both testifying in favor of providing paid family leave through the federal entitlement system. Mrs. Ernst especially touted her commitment to supporting working families, and mentioned her collaborative efforts working with Senate conservatives like Marco Rubio on the current paid family leave bill.

Mrs. Ernst's desire to improve working families' lives is understandable, but misdirected. Like many conservative members of Congress, Mrs. Ernst has allowed Democrats to set the policy agenda, rather than thinking creatively about how to apply her own conservative principles to improving working parents' lives.

There are better ways than government-supported paid family leave to support working families, and they don't cost money.

The first is reducing labor regulation that hampers flexible working arrangements. In a poll conducted by the Rockefeller Foundation which asked what "would need to change in order for working parents to evenly balance their job or business, their marriage, and their children?" the answer "more flexible work hours/schedules" won by a mile compared to "more paid time off" and other options.

It wasn't even close: 51 percent of respondents selected workplace flexibility as the problem, which is consistent with sociological research which found nearly 9 of 10 "opt-out" moms left work due to limited workplace flexibility.

Flexible working arrangements would occur naturally, but regulation gets in the way. As an example, the Fair Labor Standards act doesn't allow some workers to bank overtime as future time off. Interestingly, government and union workers are allowed to do this while private-sector workers are not.

Independent contractors are allowed to set their own schedules and be their own boss, but legislative and judicial efforts are curtailing this flexibility and seem intent on forever shackling workers to an outdated 1930s model of work.

Advocates that seek to curtail independent contractor status cite protecting worker interests as their goal. But according to a 2018 Bureau of Labor and Statistics survey, workers don't want to be protected: "fewer than 1 in 10 independent contractors would prefer a traditional work arrangement."

Since labor regulations are often set at the state level, there are many reforms that would improve flexibility there, as well. For example, shift-work laws require employees/employers to set schedules weeks in advance of working, and this is likely a burden to working parents whose schedules are constantly in flux.

Lunch-break laws like the one in California penalize employers for allowing employees to take lunch breaks more than an hour long. But working mothers often need to take longer breaks to check on a child at day care, pump milk or attend a child's doctor's appointment.

Besides reforming labor regulation, conservative policymakers should focus on reducing excessive, regressive child care regulation. As my colleague Ryan Bourne argues in an upcoming Regulation Magazine article, child care regulation "reduces the payoff to work for groups with low labor attachment," drives the cost of child care up, and is ultimately regressive, reducing certified care options in low-income areas but not high-income ones.

In many places across the United States, high child care costs are a major problem for working mothers. In Washington, D.C., full-time child care for one child costs 89 percent of a median income for single-parent households, or \$23,000 per year. Studies suggest that working mothers choose not to work and/or go on welfare benefits if child care is expensive.

Specifically, staff-to-child ratios seem to increase child care prices substantially, with little beneficial effect on quality. And requiring supervising teachers who direct day care activities to receive specific training reduces the supply of care, with regressive effects for low-income markets.

One study found that loosening child-to-staff ratios by just one child reduced care prices by as much as 20 percent. Conversely, requiring supervising teachers to have a high school degree increased the cost of child care by 25 percent to 46 percent annually.

There are many actions that conservatives (and Democrats) could take if they are eager to improve working families' lives and make combining work and family easier. Policymakers should refocus their sights on reforms that improve worker-choice without increasing government dependence.

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