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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by The Next Century Foundation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 August 2020]

* Issued as received, in the language(s) of submission only.

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The Need for Improved Maternity and Paternity Leave and Child-Care Policies to Promote Equality for Women of Color and Women of Low Socio-Economic Status in the United States of America

The Next Century Foundation notes that in its Report on Women's human rights in the changing world of work at the 44th session of the Human Rights Council, the Working Group on the discrimination against women and girls calls for a change in policy that would level out the amount of unpaid care work that women and men take up.

The Next Century Foundation whole-heartedly supports this desire for a change in policy, and would like to see a specific resolution drafted that recognizes the lack of adequate maternity leave and paternity leave policies, and also the lack of accessible child-care facilities in the United States of America. We think that this would be of particular importance not only in regard to those women who are unable to pursue their professional goals because they are the primary care-giver in the household, but also in regard to women of low socio-economic status who are unable to take maternity leave because it is presently unpaid or unavailable in many countries.

We would further state that now, while the working world is rapidly restructuring and changing in the face of the coronavirus pandemic, is the very best time to start taking measures to facilitate the inclusion of women in the working world and would suggest that the very best first step to be taken at this point is to appeal to the United States of America (U.S.), which has maternity and paternity leave policies with much to be desired, to institute improved policies. Once these policies are in place, more women will be able to pursue professional careers without sacrificing their desire to start a family.

Presently, the U.S. requires all employers with companies with fifty or more employees to give employees twelve weeks of unpaid maternity leave under The Family and Medical Leave Act of 1993. However, The Next Century Foundation would like to point out that in 2012, almost twenty years after the institution of this policy, an estimated 41% of Americans were not covered by The Family and Medical Leave Act of 1993, and thus did not have access to unpaid job-protected maternity leave. This is incredibly unfair, not only because it means that nearly half of Americans do not have access to maternity leave at all, but also because the policy only makes provisions for unpaid maternity leave, thus putting pressure on women of low socio-economic status who cannot afford to forgo wages for three months to avoid taking maternity leave at all.

Furthermore, we are deeply concerned about the fact that this policy only mandates that employers offer employees twelve weeks of maternity leave, and fails to provide the full 18 weeks that both the World Health Organization and the United Nations Children's Fund recommended that employers offer in 2019. This policy is not only detrimental to those Americans that it does not cover, but also to those that it does because it still places the health of both the mother and child at risk by not requiring employers to provide an adequate amount of leave.

One of the most troubling consequences of this policy is that it disproportionately affects women of low socio-economic status and women of color, who are already seriously disadvantaged in the professional world. As of 2013, in the USA, African American, Hispanic, and Native American women are more than twice as likely to be living below the poverty line than Caucasian women. This places many women of color under unjust pressure to forego maternity leave and sacrifice their health, the health of their children, and valuable time to bond as a family in order to be able to afford the basic necessities that they need to live.

The Next Century Foundation holds that this problem is exacerbated by the fact that there is not adequate access to affordable childcare in the U.S. Many families are unable to afford the expense of sending their children to childcare centers or to a private caretaker, both of which on average cost from \$800 - \$1,230 per month in the U.S. This is well beyond the fiscal means of many American families, and is comparable to the cost of renting a small apartment in many major U.S. cities. As a result, many women living below the poverty line who have

children must either forego maternity leave and continue to work in order to offset the cost of childcare, or stop working altogether so that they can take care of their children themselves. This presents a huge roadblock to these women in terms of professional development, and many women in the U.S. are unable to lead fulfilling careers due to their socio-economic status and the lack of childcare resources at their disposal.

The institution of public childcare available to all Americans at an affordable rate, or for free, would greatly ease the burden of many women of low socioeconomic status and women of color. These women would no longer need to worry about sacrificing their careers to avoid the cost of childcare or sacrificing their health during the critical early weeks after giving birth. This would empower these women and allow many families to maintain a more equal balance between men and women as regards who does the majority of domestic work.

What we would also like to see is the institution of a policy that not only provides the full amount of maternity leave as recommended by the World Health Organization, but provides it to all Americans, not just 60% of them. It is unfair to place American women who are already troubled by their low socio-economic status under the additional burden of needing to worry about placing their own health and the health of their children at risk in order to make ends meet, while others with more resources face no such struggle.

The institution of both of these policies would greatly improve the situation of women of color and low socio-economic status in the U.S. by allowing them to pursue fulfilling careers and take sufficient time to care for themselves and their children after birth and beyond. For this reason, The Next Century Foundation hopes to see a resolution drafted in support of these policies and impatiently awaits the day that they will be put into effect.
