

A Seat at the Table: The Influence of Women's Political Representation
on States' Paid Leave Policy Development

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Prepared for delivery at the Eighth Annual State Politics and Policy Conference,
Philadelphia, PA, May 30-31, 2008

Responding to the unceasing question of how she could balance the role of mother and congresswoman, Pat Schroeder famously responded, “I have a brain and a uterus and I use both.” Though intended as a sarcastic response to what she felt was a sexually biased question, Schroeder’s identity as a woman and mother did influence her legislative agenda. In her book, aptly titled *Champion of the Great American Family*, she writes, “I think that people’s everyday experiences are helping all of us to define family policy. I certainly know that my own experiences combining my congressional career with my family responsibilities promoted my activism” (Schroeder 1989, 10). While Schroeder notes that she did not come to Washington “only to champion women’s rights and the American family,” she is recognized as a policy champion in the realm of family and child policy (Schroeder 1989, 14). Schroeder authored and advocated for the Family and Medical Leave Act of 1993 and brought a necessary voice to congressional debate in the 1980s and early 1990s. In doing so, she exemplified the importance of giving women “a seat at the table” and a voice in legislative discussion and agenda-setting.

In this paper, I ask whether women’s political presence within the formal realm of electoral politics and outside of legislative chambers, and the tie between both, influences the development, proposal, and passage of paid leave policies. Representing a vital item on the progressive family policy agenda, paid leave seeks to aid family members in balancing career and work without economic and professional repercussions. In the current socio-political context, this policy disproportionately influences women - who bear the brunt of conflicting work-family demands. Thus, based on scholarly work claiming that women represent women, I ask, has women’s presence in statewide political office influenced states’ proposal of paid leave policies? And how? Additionally, what has been the role of women outside of political office – as activists for women’s issues, labor rights, and family policies? Finally, what does this mean in discussing gender’s influence in political representation and evaluation and formulation of family policy?

Past studies have looked at the historical evolution of family leave policies in national and state political climates in case study format (Morgan 2006; Bernstein 2001). This study seeks to build upon these qualitative measures with mixed methods to study all states in the United States, while also updating the historical frame with advancements in paid leave evolution within three states – California, New Jersey, and Washington. Particularly, I will narrow the focus of this area of research to elucidate the gendered nature of family policy evolution in its formulation, passage, and impact. Looking at women as political actors allows discussion of and debate over their influence on problem definition and policy proposal, in addition to agenda- setting and activism. Given access to the public sphere, women can illuminate the marginalization of women into the private sphere of domestic labor and care-work because they are often co-conspirators in the evolving struggle of dual demands. By recognizing these marginalized women in political debate and discussion, the frames of separate spheres and public and private politics are challenged. Paid leave and similar issues evolving into a family policy agenda in the United States seek to recognize the importance of care-work and domestic labor and its space as a foundation for the traditionally public economy.

Morgan's (2006) discussion of the need for policy "champions" underlines my research goals of showing women officials' particular influence in advocating paid leave policies. Monroe and Garand (1991) also recognize the importance of institutional-elite variables in yielding policy support and innovation. When measuring the impact of elite variables on family leave policy roll call votes in 1988, they found a modest impact stemming from Senators' home states having unique policies (Monroe and Garand 1991, 216). However, they also found that personal disposition played a significant role in determining Senators' votes on family leave policies, noting the importance of personal characteristics. Finally, in Bernstein's (2001) study of Connecticut's successful passage of family leave, she notes the importance of finding a legislator (insider) who sees political opportunity

in promoting the policy at hand (63). Other authors refer to these elites as “champions” providing resources and publicity needed for passage.

The influence of gender on labor and family policy is not a recent phenomenon. However, the rise of women in political office and organizational leadership has brought their voice and perspective to the table. Bolstered by Phillips’ (1995) conclusions of the important “politics of presence,” Jane Mansbridge (1999) argues that representatives are more likely to represent the “uncrystallized interests” of their constituents if they arise in Congressional business as “introspective representatives” of their constituents (Mansbridge 1999, 644). Thus, descriptive representation enhances the substantive policy benefits that female constituents receive when a woman is in office. Phillips notes, however, that the politics of presence must be accompanied by a politics of ideas. In the fight for paid leave, women are just one set of policy champions that not only shift legislative focus due to their presence, but propose innovative ideas for change. It is this relationship that I seek to illuminate in what follows.

I begin discussion with a short review of the history, implications, and current directions in the debate over family leave policy. After providing evidence for the need to expand paid leave and showing its gendered nature, I discuss the role of women as paid leave policy champions in particular political and social climates. Recognizing the devolution of family leave policy from the national to state level, I propose women’s agenda-setting and activism – both inside and outside of legislative chambers - as one influential variable on states’ likelihood of proposing and passing paid leave policies. This discussion notes the theoretical precepts of problem definition and policy innovation, and the complexities of relating descriptive and substantive representation along lines of gender identity.

FAMILY POLICY AND FMLA

In 1996, the National Parenting Association found that 82% of mothers and fathers surveyed believed that they were having a harder time balancing work and family than their parents did (Skocpol 2000, 134). It is no surprise, therefore, that these same individuals have put pressure on business and government to ease these burdens. In *The Missing Middle* (2000), Theda Skocpol notes that a “family-oriented populism focused especially on working parents can revitalize tradition of successful social policy making in American democracy” (67). Highlighting the civic dividends of inclusivity and attention to private needs in public discourse, Skocpol urges public institutions such as labor and government to recognize individuals’ multi-faceted lives as workers *and* family members. In this way, debates over family policies “can be read as struggles [...] to determine the public role in the ostensibly private sphere of family life” (Burstein et al. 1995, 72). Family leave policy attempts such recognition of individuals balancing work and family demands.

“The United States has no explicit national family policy, so policymakers pass piecemeal legislation that responds to specific individual needs but does not provide a comprehensive vision for families” (Elrod 1999). The evolution of family policies in the United States has taken place in the context of shifting ideologies in traditional gendered roles and the public/private split, changing expectations of the state’s role in private lives, and growing expectations of workers’ responsibilities in a capitalist market economy. Burnstein et al. (1995) present this evolution in terms of family policy bills proposed over time, noting the gradual shift in frames from “separate spheres” to “equal opportunity” and, most recently, “work-family accommodation” packages.¹ The gendered nature of these policies is evident and undeniable as women’s shifting roles necessitated institutional change. “Equal opportunity” frames evolved and reached a peak in the 1970s as Americans’ real wages declined and women went to work to supplement family incomes (Bernstein 2001, 41).² At the same time, women’s movement strengthened and called for women’s equality in public spheres.

Movement efforts were bolstered by actions at the legislative and executive levels. In 1963, President Kennedy appointed the Committee on the Status of Women to address problems facing America's women. In the following year, Title VII of the Civil Rights Act placed a ban on sex discrimination, bolstered nearly a decade later by the Pregnancy Discrimination Act of 1978's prohibition of employment discrimination on the basis of pregnancy, childbirth, or pregnancy-related conditions (Bernstein 2001, 42). Accompanying these national statutes against pregnancy discrimination came further pressure on employers to allow maternity leaves for pregnant workers. In 1984, the *California Federal Savings and Loan v. Guerra* case (the "Garland Case") overturned California statute mandating maternity leave, calling it "special," and thus unfair, treatment of pregnant women (Wisensale 2003, 138). This case reached national attention and spurred the Congressional Caucus on Women's Issues, chaired by Representative Patricia Schroeder, to add parental leave among their most important issues. In order to circumvent critiques of differential treatment by gender, the leave debate was transformed at the national level to one focusing on parental and/or family leave for all employees.

In 1985, the Parental and Disability Leave Act was introduced into the U.S. Congress, recommending 18 weeks of paid leave for a new child in addition to 26 weeks of unpaid leave for parents (Bernstein 2001, 95). After eight years and numerous drafts and compromises at the national level, Congress passed the Family and Medical Leave Act of 1993 (FMLA).³ As one of the first bills signed by President Bill Clinton, FMLA embodied a bill stripped of many of its original attributes, but was touted as a significant shift toward national attention of family policy issues. Because many Democratic supporters understood that paid leave would be "dead on arrival," they supported a program requiring employers to provide 12 weeks of unpaid leave for purposes of caring for a sick spouse or parent, newborn or newly adopted child, or the worker's own condition. This broad application distinguished the national law from many state programs applying only to

mothers and/or parents and dealing specifically with the birth or adoption of a new child.⁴ As a result, FMLA set a national policy precedent addressing the multi-faceted needs of Americans in their roles as workers and family members.

While the FMLA had significant symbolic impact, its limitations have been highlighted ever since passage. Particularly, FMLA provides skewed coverage, largely to more affluent and stable employees, and is even more inaccessible due to its lack of wage replacement.⁵ From 1993 to 2000, 73% of leave-takers had incomes greater than \$30,000 year (Casta 2000, 4). While FMLA seeks to ensure their job tenure in times of family and medical necessity, low-income workers' inability to take *unpaid* leave when offered minimizes the positive impact of such a family policy.⁶ In a report sponsored by the National Partnership for Women and Families, Nicole Casta (2001) shows that, among workers from 1993-2000, 78% of those who needed leave did not take it because they could not afford living without wages for any period of time (5). Skocpol (2000) argues that these statistics prove that "for many of America's most vulnerable workers, political advertisements touting family and medical leave as a great step forward must simply underline the irrelevance of government to their daily lives" (6).

Efforts since 1993 have focused on expanding the scope of leave coverage to more employees and increasing the time allowed for family and medical leave. However, the addition of financial subsidy to family and medical leave, either at the national or state level, is especially significant in addressing the weaknesses most evident since 1993's enactment. Without paid leave, low-income workers will be unable to take advantage of any policy working to ease the burden of work and family demands and will continue to face the deficient choice of providing for family financially or via care work. President Bill Clinton issued an executive memorandum titled "New Tools to Help Parents Balance Work and Family" in 1999 to address this problem. Urging the Department of Labor to develop models for state implementation of paid leave with the use of

unemployment insurance funds, this directive resulted in passage of the Birth and Adoption Unemployment Compensation Rule of 2000 ("Baby UI") (Wisensale 2003, 142). While limiting paid leave to maternal or parental leave for a newborn or newly adopted child, the addition of a funding source to the expansion debate prompted many states to seriously consider paid leave for the first time. However, funding flexibility was short-lived, as President Bush pushed the Department of Labor to revoke this allowance in 2003, providing a strong example of the influence of partisanship and vertical diffusion on policy development.

Like this barrier to paid leave in states, national-level proposals for FMLA expansions have been continually blocked. As a result of Congressional stalemate and Clinton's directive promoting state policy evolution, FMLA expansion has shifted largely to state governments (Bernstein 2001). Five states (CA, HA, NJ, RI, and NY) have utilized temporary disability insurance (TDI) funds to provide women with a fraction of their wages during pregnancy or childbirth (Ross Phillips, 8). These efforts have maintained the gendered frame of leave policy by focusing largely on pregnancy as a disability instead of offering a broader, and arguably more effective, *care* or *family* leave (Wisensale 2003; Bernstein 2001, 123). On July 1, 2004, the state of California became the first state in the Union to enact paid *family* leave, allowing for six weeks of paid family leave through the state's SDI program and invoking a gender-neutral frame for passage.⁷ As I describe below, the passage of paid leave policies has spread to two more states – Washington and New Jersey – in recent years, but the stream of more effective work-family policy remains only a trickle.

THEORY AND HYPOTHESES

Defining the Problem: Paid Leave as a Woman's Issue

In Kingdon's (1995) work on agenda-setting, he argues, "conditions become defined as problems when we come to believe that we should do something about them" (115). The interpretive element included in problem definition depends on public and/or elite values and

perceptions. Since 1993 (and even before), defining the absence of paid leave as a social problem has faced much opposition, largely due to gendered values of women's roles and government involvement in private issues. Measuring Congressional committees' work on work, family, and gender, Burstein and Bricher (1995) outline five factors in problem definition: recognizing the harm, determining assumptions about gender roles, finding the cause of the problem, determining who is to blame, and deciding who should take responsibility (146-147). Thus, problem definition on family leave policy is particularly tied to gender roles and the harm on women and families of conflicting work and family demands. Women's changing roles in American society provide the strongest impetus for policy change and, thus, push family leave as a necessary adaptation. Married women's participation in the workforce has increased by 10% during every decade since the 1940s. More specifically, married women with children have increased their presence in the U.S. labor force by 207% between 1960 and 1988, from 18.6% in 1960 to 57.1% in 1988 (Bernstein 2001, 28-29).⁸ Women's participation in the workforce remains higher than ever before and has uprooted traditional forms of family and public sphere organization. Family leave policies are just one example of governmental statute attempting to catch up with these shifts in women's roles.

From the start, FMLA was framed as a woman's issue and was infused with traditional rhetoric. For example, original compromises on the bill sought assurance that FMLA would not cover recovery time from abortions (Bernstein 2001, 99). More significantly, implementation of paid leave internationally has proven the disproportional utilization by women. Morgan (2006) notes that, in all countries with such policies, women take the majority of parental and care leave days (9). In France, for example, 98% of the people who take the extended three-year care leave are women. Other than framers' assumptions and international proof that this legislation would largely aid women, women themselves expressed the need for more sufficient leave policies; in 1991, 75% of working women said they felt torn between employment and family responsibilities (Skocpol

2000, 133). The frame used in which to cast leave policies at the state level influences public perceptions and institutional support. Thus, special attention needs to be paid to this issue as states take the responsibility of paid leave innovation and expansion. Published nearly two decades ago, Gelb and Palley's (1987) discussion of the debate between extending existing rights enjoyed by other groups to women (role equity) or challenging the traditional role of women by increasing their opportunity (role change) continues. Dependent on public perception, paid family or parental leave may induce role change by providing women with greater opportunities and resources to leave the home and balance work and family life. As such, the policy will face more rooted opposition.

In either case, feminist theorists have framed this shift in government policy as a reevaluation of care and recognition of dependency. Eva Feder Kittay (1997) challenges us to "take dependency seriously" and recognize that we are all potential dependents. She critiques the standard of liberal egalitarianism as neglecting the condition of both dependents and those that care for dependents, forcing care-work into the private realm. Thus, Kittay argues, the gendered and privatized nature of dependency work has prevented women from achieving an equal status to men. Recognizing society as "construed by nested dependencies that require a concept of justice between persons who are equal in their connectedness but unequal in their vulnerability" is central to empowering women and care-workers (Kittay 17). Paid family leave is an attempt, though moderate, to shift national discussion back to valuing care-work and recognizing the interdependency that members of society share as parents, children, and family members. Its advocates are allies in the grander fight toward revaluing care in U.S. social policy.

Women Representing Women: Women as Policy Champions of Family Policy

Whether through coalitions, interest groups, labor, or elected officials, paid leave policies are more likely to be proposed in states where they are bolstered by support systems (Bernstein 2001; Morgan 2006). In 2006, 1,686 women held state legislative offices, a nearly six-fold increase since

1970.⁹ In reference to gendered policies, Amy Caiazza (2004) notes that “having women in elected office cannot guarantee policy for women, but it clearly helps” (60). Supported by literature showing that women represent women (Swers 2002; Mezey 2003), Caiazza’s study on women’s representation in the states shows a strong and significant relationship between women’s level of representation in elected office and women’s rights and resources nationwide (48).¹⁰ Phillips (1995) again notes the importance of women’s presence when she writes, “What we count as basic rights and liberties is continually rewritten by those who act on the political stage, and this reinforces the importance of ‘being there’ when the boundaries and distinctions are drawn” (140). However, being present does not in itself guarantee the substantive representation of women’s interests in agenda-setting and deliberation. Phillips (1995) cautions, “Changing the gender composition of elected assemblies is largely an enabling condition [...] but it cannot present itself as a guarantee [of greater substantive representation for women]” (82). Instead, pairing the politics of presence *with* a politics of ideas serves as a more useful mechanism to promoting interests of formerly marginalized groups. For women, then, while increasing legislative presence should benefit women citizens, “it is in the relationship between ideas and presence that we can best hope to find a fairer system of representation” (Phillips 1995, 25).

Independent of their numerical presence, scholars find that women legislators are more likely than men legislators to introduce women’s interest bills (Bratton and Haynie 1999, 670; Kathleen 1995; Reingold 2000; Dodson 2006; Swers 2002). In *The Difference Women Make*, Swers (2002) frames family and medical leave as a “feminist” issue because of its promotion of role equity and/or role change and finds that bill sponsorship of such issues are highly dependent on gender in the 103rd and 104th Congresses (37). Recognizing that paid leave is often recognized as a social welfare issue, Poggione (2004) adds that female state legislators also have more liberal policy preferences than men on welfare issues. The dual-frame of paid leave as both a welfare and a

woman's issue indicates that women's support is likely. Scholars have also investigated the degree to which women legislators prioritize women's issues, finding that women legislators are both more likely to propose women's issue bills and consider them a priority in their legislative agenda (Burrell 1997; Dodson and Carroll 1991; Thomas 1991, 1994). In a 2001 study by the Center for American Women and Politics (CAWP), more than half of the female state legislators surveyed reported working on or promoting at least one women's rights bill in the previous legislative session. Moreover, when asked to name one bill that they gave the greatest priority, one of twenty women state senators and more than one in ten women state representatives gave top priority to legislation on issues such as domestic violence, childcare, equal rights, abortion, teen pregnancy, and parental leave (Carroll 2006, 369). Based on these findings, Carroll (2006) concludes, "sizable proportions of women legislators can be considered to be advocates on behalf of women" (369). Building upon findings like these, I look more specifically at one women's issue – paid family leave – to see the role of women legislators as champions in advocacy and agenda-setting.

If women are more likely to support women's issues than are men, does it not follow that the substantive representation for women is tied to their descriptive presence? While theories abound on the importance of women's numerical presence on their capacity to advance women's interests within legislative institutions, scholars have investigated further the intricacies of this relationship by looking at degrees of women's presence and the representational impact of different *types* of women. For example, in challenging claims that women legislators need a critical mass in order to most effectively advocate for women, Crowley (2004) finds that "tokens matter." She writes, "Even at low levels of representation, small numbers of any group can make a policy difference" (130). Finding that tokens can and do make a policy difference does not, however, negate the importance of increased women's presence in allowing for the formation of women-friendly coalitions and agendas. Dovi (2002) adds a different caveat to the conceptual tie between

descriptive and substantive representation for women in her discussion of preferable descriptive representatives. Like Phillips, she argues that mere presence is not enough and that descriptive representatives must also have strong mutual relationships with marginalized subgroups to truly represent and advance their policy interests (Dovi 2002). It is only with this more direct tie between the representative and the represented that Dovi predicts the positive influence of descriptive presence on political outcomes. In some cases, representatives share alternate identities with their constituents that more clearly shape their policy perspectives, such as party or ideology. As I mention later, the connection between representative and represented may also come through the political influence of outsider activist groups and individuals on politicians – men and women alike.

Outsider Activism

Beyond formal political office, women have played an important role in advocating for paid leave from within women's and labor organizations. The importance of this outsider activism has been noted in studies of statewide efforts for paid leave (Bernstein 2001; Wisensale 2006). Bernstein (2001) notes, however, that there exists a dearth of aggressive action and advocacy caused by (1) a fragmented American political system, (2) the political power of businesses and (3) the lack of a strong work and family movement in the United States (Bernstein 2001, 4). The lack of a strong mobilized effort for work-family policies is particularly indicative of the collective action problem that family leave has suffered from the start due to the nature of such benefits; because only a small percentage of the population will need family leave at any given time and will only need it for a short time (Bernstein 9). Morgan (2006) argues that, since 1993, paid leave has disappeared as a national issue and people have instead been "piecing it together" with what has been given (137).

The collective action problem associated with paid leave is additionally challenged by class-based participation gaps. Without support from the people who would benefit most (low-income workers), paid leave is more often negotiated away by elites less focused on the financial burden

associated with taking unpaid leave (Bernstein 2001, 129). Baumgartner and Jones (1993) provide a reminder of the importance of issue definition and its ability to mobilize the otherwise disinterested. As shown in case studies on family leave, coalitions have played a vital role in defining the issue of conflicting work and family demands as a social problem in need of remedy. Moreover, they have proven an invaluable resource for legislators championing family leave advancement and, more specifically, given women legislators the support necessary to challenge existing policy norms and values of traditionally masculine legislatures. As Kanter (1977), Carroll (2006) cites that women in male-dominated institutions are more likely to resist pressures toward assimilation and conformity if they have alternative spaces in which their identities can be validated. She argues that women's organizations, networks, and coalitions provide the social capital necessary for women legislators to be champions for women in setting legislatures' policy agendas.

Accountability through Identity

In recognizing the importance of outside influence, scholars argue that institutional inclusion alone is not a sufficient step toward fair and adequate representation. Moreover, and returning to Phillips' (1995) hope for a hybrid of presence and ideas, descriptive representation alone may endanger the accountability mechanism of representation. Weldon (2002) calls on scholars to move "beyond bodies" in theorizing representation, arguing that women's policy agencies and women's movements are stronger sources of women's voices in the policy-making process (1154). Carroll (2006), however, challenges Weldon's claim and, instead, argues that women's organizations act as an accountability mechanism for women legislators and thus, contribute to the tie between descriptive presence and substantive representation for women. Drawing upon Mansbridge's (1995) conceptualization of "accountability through identity," Carroll (2006) writes, "When women legislators are connected with women's groups and networks, their relationships with these organizations can provide legislators with ongoing access to a large group perspective" (361). She

adds, “Women’s organizations can play an important role in reinforcing feminist identity and encouraging and supporting women legislators’ policy-related actions on behalf of women” (Carroll 2006, 361). Carroll (2006) demonstrates the importance of women’s networks and organizational ties through survey data from female state legislators, finding that their greater degree of connections to women’s organizations predicts more work on women’s rights bills. In describing this mechanism of accountability of women representatives to women’s interests, Carroll (2006) challenges traditional perceptions of descriptive representation and investigates not only *if*, but also *why* women legislators give greater priority to women’s issues than their male colleagues. Along with Katzenstein (1998), she points scholars toward investigating women’s representation inside of political institutions, outside of legislative chambers, and the representation resulting from linkages between the two. In this study of paid leave policy proposal and advocacy, I investigate women’s representation both inside and outside of legislative institutions, and hope to begin a greater discussion of how scholars might more adequately measure the mutual influence between them.

DATA AND METHOD

In this study, I seek to measure the role of women as policy champions of paid leave policies. The research design employed has three parts. I begin by asking if women’s representation, as a percentage of state legislative presence, predicts the proposal of paid leave bills by creating a model of state policy proposal of paid leave using event history analysis (EHA) (Berry and Berry 1990, 1999; Allen, Pettus, and Haider-Markel 2004; Box-Steffensmeier 2004). Event history analysis predicts the probability that a state will propose a particular policy, in this case paid leave, in a given year. Each year in each state will act as an independent case in this model.¹¹ Building upon these data, I look more specifically at women’s legislative influence on bill proposal by measuring women’s degree of paid leave bill sponsorship, particularly as a proportion to their legislative presence from 2000-2005. Finally, after discussing the role of female political insiders in

policy proposal, I use analyses of paid leave proposal and passage in California, New Jersey, and Washington to describe the role of women’s outside activism and to begin the discussion on the linkage mechanism between women insiders and outsiders in championing women-friendly policies like paid family leave.

FINDINGS AND ANALYSIS

Event History Model

Using a Cox regression with proportional hazards, I estimated an event history analysis (EHA) model of paid leave proposal by state from 2000-2005. This function allows me to perform EHA with repeatable events (i.e. multiple proposals per state) and to cluster the results by state, accounting for both time and within-state similarities over time. The dependent variable is state legislative proposal of paid leave and the independent variables included in the model measure climactic and institutional conditions statewide. Because of this model’s capacity to include all states over many years, the resultant data supplements the case studies most often found in studies of family leave policies. EHA also allows for over-time analysis, providing the tools needed to track policy innovation and “incubation.” The dataset begins in 2000, with enactment of the Baby UI Executive Directive, and ends in 2005. Data on state legislative proposals for paid leave were compiled from the National Partnership for Women and Families’ *Where Families Matter: State Progress Toward Valuing America’s Families*, published in February 2006 (see Appendix A).¹²

Table 1. Predictors of State Proposal of Paid Leave, 2000-2005	
Independent Variables	Full Model
Women’s Political Representation (%Women State Legislators)	-0.20 (-0.019)
Democratic Party Strength	2.11 (0.065)*
Union Affiliation	2.80 (0.08)**
Female Labor Force Participation	0.68 (0.014)
Vertical Diffusion	5.49 (1.98)**
GDP by state (Per capita)	0.69 (0.00)
Regional Diffusion	-0.20 (-0.18)
Division Diffusion	0.38 (0.92)

Citizen Ideology	-0.09 (-0.54)
Existing Family Leave Policy	-0.27 (-0.075)
Log pseudo-likelihood	-220.17
Wald Chi-Square	129.07
Prob. Chi-Square	.0000
<i>df</i>	10
Number of Cases	300

Notes: Z statistics are reported with regression coefficients in parentheses; **p<.05, *p<.10.

The results are presented in Table 1. Based on existing literature on policy innovation and healthy climates for family policy development and proposal, I included variables for women's representation in state legislatures (as a percentage of the total body), Democratic Party strength, union affiliation (as a percentage of the state population), female labor force participation, GDP per capita, vertical diffusion (along with region and division diffusion), citizen ideology, and the pre-existence of a statewide leave policy (see Appendix B). The model is weak in predicting the proposal of paid leave policies within states and is in need of further specification. However, there are three significant, and expected, findings. First, Democratic Party strength is a significant predictor of paid leave proposal.¹³ Critical of both parties' efforts (or lack thereof) to accommodate today's families, Morgan (2006) argues,

Both of America's major political parties want to be perceived as supportive of families, parents, and children. But in United States politics these days, talk and television images can readily mask inaction – or even movement in the opposite direction from the values ostensibly proclaimed (103).

While state legislative leaders have called child-family issues a “sure fire vote winner,” has either party taken paid leave seriously (Bogenschneider 2000, 1138)? The findings point to the importance of Democratic Party strength (or representation) within state legislatures for proposing paid leave. In response to Morgan's criticism, this strengthens images of the Democratic Party as more

sympathetic to social welfare issues and government programs involving themselves with citizens' daily lives as private and public citizens.

The degree of union affiliation among states' labor forces is also a significant predictor of paid leave proposal. This variable points to the importance of labor unions as a force of outside pressure in advocating policies for workers' rights and well being. In recent years, labor has begun to recognize the influx of women into the labor market and adjusted their policy agendas accordingly. In states with greater union-affiliated workers and, arguably then, a stronger union culture, the likelihood of a legislature proposing paid leave increases expectantly. I will demonstrate the important role of labor in paid leave advocacy from proposal to passage in the case studies below. Finally, the variable measuring vertical diffusion is highly significant, indicating the importance of national policy cues on state-level legislative proposals. Measured by the existence of "Baby UI" allowances (2000-2003), the significant impact of national policy decisions implies a space for future research on devolution, federalism, and family policies. This finding reminds us that as the Congress works on the expansion of FMLA, it is likely that the aftershocks of any policy changes will be felt by the states and will influence subsequent state-level legislation.

Interestingly, and yet unfully explained, is the finding that women's degree of legislative representation does not predict paid leave proposal. This finding complicates my expectations of women's overt policy influence. Specifically, the data shows that a higher percentage of women in state legislatures has no effect on the hazard that a paid leave bill will be proposed in any given year. There are three possible conclusions that might be made from the EHA findings on women's representation. First, women's influence may be unnecessary in championing paid family leave policies. Based on historical evidence, theoretical and empirical data, and the cases described below, I find this highly unlikely. However, a second explanation may be that the *degree* of women's representation is not particularly important in women's advocacy of such policies. Consistent with

theories cited above, women's presence *alone* may not be sufficient in advancing women's policy interests and ensuring substantive representation for women. Instead, there should be consideration of the type of women in office and their capacity to champion issues even as token members of legislative bodies. Finally, in a policy area so influenced by coalition politics, a quantitative model like that cited above may be incapable of capturing the influence of women as policy champions in outside organizations and the relationship between women on the outside and female legislators inside, held accountable by the organizations that often advocate for women's issues. Through more in depth analysis of legislative activity (bill sponsorship) and a description of the policy processes in three states in which paid family leave has found success, I test the accuracy of these alternative explanations and find that women are, in fact, influential paid leave policy champions, though in more nuanced ways and in accord with other identities such as ideology and party.

Bill Sponsorship

In order to investigate women's influence on paid leave proposals more directly, I gathered data on all 90 paid leave bills proposed from 2000-2005 among all states. Within those six years, 25 states proposed at least one paid leave bill in either their house or senate. Consistent with empirical findings presented above, I expected that women would disproportionately support paid leave bills, as compared with their male counterparts. In accumulating sponsorship data, my expectations were confirmed. As Table 2 demonstrates, women state legislators play a significant role in proposing paid leave bills. They act as bill sponsors to a degree unequal to their actual representative presence, as is evident when comparing the percentage of sponsors that are women to the percentage of women in state legislatures overall. In three out of the six years observed, women are over half of all of the sponsors and co-sponsors on states' paid leave bills. While Table 2 combines data nationwide, Appendix C includes data by state and year to demonstrate the consistent presence of female legislators as paid leave sponsors and, thus, advocates. These findings build upon generalized

data finding that women are more likely to sponsor women-friendly bills and shifts the focus, arguing that among a particular type of women-friendly bill, women make a significant showing in support.

	Percentage of Women Sponsors/Co-Sponsors	Percentage of Women in State Legislatures (nationwide average)
2000	34.4	22.5
2001	47.8	22.4
2002	50.0	22.7
2003	56.1	22.4
2004	53.9	22.5
2005	39.3	22.7
Total	45.5	22.5

Source: Data compiled by author from states' legislative databases, 2000-2005.

Women's direct support for paid leave in bill sponsorship challenges the event history findings of non-significance of women's representation, instead noting that women – regardless of their degree of representative presence, are more likely than men as a proportion of their legislative presence to champion paid leave bills. Party, however, is again a significant variable in bill sponsorship, as only four percent of all bill sponsors or co-sponsors were Republican members of their respective legislatures. Among the few Republican supporters, 35% were women and the remainder were men. Again, while Republican men outnumbered women in sponsorship overall, Republican women were much more representative in their sponsorship of these bills than their legislative presence might otherwise predict. Finally, the degree of support from Democratic women is telling and is consistent with Carroll's (2006) findings on accountability through identity among these women.¹⁴ As female Democrats are more likely to have ties to women's organizations and are more likely to identify as feminists, they too are more likely to support women's rights bills such as paid leave. The intersection of party and gender is an important function in paid leave policy development and demonstrates the need to consider these intersecting identities in studies of gender and family policy.

Women's support of paid leave bills is not only evident in their formal sponsorship inside of legislative chambers, but is also strong in women's representation through outside organizations. While women's elected representation overall was easily quantifiable in the EHA model, it is more difficult to determine women's influence from outside of formal political office. However, based on historical analyses and case studies of family leave movement, the role of women's and labor groups is undeniable. Thus, I seek to measure the role of women activists and organizations in paid leave advocacy via focused analyses of California, New Jersey and Washington. By looking more specifically at important groups, organizations, and individuals in the states' coalitions for paid family leave, I am able to see the role that women play as policy champions from outside of legislative chambers and their role in bolstering women legislators' influence inside of government.

FROM PROPOSAL TO PASSAGE: PAID LEAVE EFFORTS AND WOMEN'S REPRESENTATION IN CALIFORNIA, NEW JERSEY, AND WASHINGTON

While women's influence in championing paid leave policies is evident in their degree of bill sponsorship, the following case studies seek to show more explicitly *how* women impact the movement for paid leave from both inside and outside of legislatures. Additionally, these case studies move from policy proposal to passage, seeking to measure women's roles not only in bringing issues "to the table," but pushing for and enacting policies advancing the interests of women, children, and families.

Before looking at the state-level cases, there are some interesting points about women's participation in the paid leave debate on a national scale. I have previously mentioned the work of women in national political office in advancing a female-friendly family policy. The work of these women has been bolstered, and sometimes motivated, by the efforts of women in labor and women's movement. Since the influx of women into the workplace, some of the most well-known women's organizations have prioritized family-friendly policies as a route to achieving and

maintaining women's rights and equality in the professional realm – the National Organization for Women, National Partnership for Women and Families, Older Women's League, League of Women Voters, Equal Rights Advocates, and the Institute for Women's Policy Research. The National Organization for Women has lobbied for expansion and improvement of family leave through their Women Friendly Workplace campaign and more recently The Mothers Matter, Caregivers Count effort in support of family care work. This is just one example of the women's movement prioritizing care work and acting as a policy champion on paid leave. Additionally, there has been a rise in mothers' organizations over the past decade, giving rise to claims of a burgeoning mothers' movement. Groups involved, like Moms Rising and the Mothers Movement Online, have played an active role in advocating care-based policies like paid family leave. I will describe their efforts in state-level campaigns below.

The labor movement has also taken up paid leave as an important issue for protecting workers' rights. The EHA data above points to the important role of labor in setting the legislative agenda and providing a climate for policy change toward paid leave. While the larger labor movement has embraced the issues surrounding work-family balance, it has not been without women's particular efforts within labor-based activism. In a 1998 essay, Karen Nussbaum details the shift in labor politics – from a man's world to a more woman-friendly arena for change. While noting that women have organized professionally for over a century, she cites the climactic advancement of women in labor unions throughout the 1970s and 1980s. The Coalition of Labor Union Women (CLUW) was formed in 1974, advocating for more women in union leadership and shifting the agenda to recognize those problems most burdensome to women workers. In 1980, the Service Employees International Union (SEIU), a majority-female union, elected their first female Vice President. Other women have reached leadership positions since the 1980s and the AFL-CIO created their Working Women's Department in 1996 “to bring concerns of working women into

every nook and cranny of the labor movement and to turn the labor movement into an activist voice for all working women” (Nussbaum 1998, 57). Thus, by arriving at the table and shifting power relations of traditionally masculine unions, women have been able to use the labor movement to their advantage, providing much-needed representation for female workers. Advancing paid leave is only one small example of this shift in unions’ agendas and priorities.¹⁵

	California, 2002 (SB1661)	Washington, 2007 (SB5659)	New Jersey, 2008 (S2249)
Date Proposed	February 21, 2002	January 26, 2007	October 16, 2006
Date Signed	September 23, 2002	May 8, 2007	May 2, 2008
Bill Type	TDI-Family	Family Leave Insurance	TDI-Family
Existing TDI Coverage	Yes, since 1946	No	Yes, since 1948
Existing State FMLA	Yes, since 1991	Yes, since 1989	Yes, since 1990
Length of Benefit	6 weeks	5 weeks	6 weeks
Coverage	Care leave for ill child, spouse, domestic partner; Bonding leave for birth, adoption or foster care placement of a child	Beginning in October 2009, care leave for a new child, including adopted children. Plans for leave for ill child, spouse, or family member after initial enactment	Care leave for ill child, spouse, domestic partner; Bonding leave for birth, adoption or foster care placement of a child
Base of Payments	PFL benefits will replace approximately 55% of wages up to a maximum of \$840 per week in 2006. Maximum benefit will increase automatically each year, commensurate with increases in the state’s average weekly wage.	Benefit of \$250 a week; flat rate.	Family Leave Insurance will replace approximately 66% of wages to a maximum of \$524/week. Maximum benefit will be adjusted annually.
Employer Contribution?	No	No	No
Cost to Workers	A minimum wage earner will pay an additional \$11.23 a year into SDI, while the estimated average additional annual cost is \$46.00 per worker.	Joint Task Force on Family Insurance will decipher funding mechanism; payroll tax is expected funding source (~\$35/yr), combined with possible taxes related to public health.	Increases TDI rate of pay by employees by one-tenth on one percent of their annual salary – about \$33 annually.
Job Protection Clause	No	Yes, requires employers with more than 25 employees to hold workers’ jobs open while they are on leave. Employees must have worked for at least one year and at least 1,250 hours to qualify for job-protected leave.	No
Waiting Period?	Yes, seven day waiting period	Yes, seven day waiting period	Yes, seven day waiting period

Sources: California State Legislature, Washington State Legislature, New Jersey State Legislature

On September 23, 2002, Governor Gray Davis made California the first state in the nation to provide paid family leave to the states’ employees. The success of paid family leave in California did not happen over night, as the fight for adequate and passable legislation developed in a series of

social policy advances within the state throughout the late 1990s. The California case is representative of the incrementalism of policy change, as paid family leave was the culminating legislation in a series of work-family laws advocated by a strong coalition of legislators and interest groups.¹⁶ The California Paid Family Leave bill took effect in 2004, providing Californian working families with access to six weeks of paid leave, wherein they would receive wage replacement of 55% of their earnings (up to \$840) to care for newborns, newly adopted children, or an ill family member (including domestic partners).

In May 2007, Washington became the second state to pass a paid family leave bill, though the long-term program is still being developed. The initial bill created a Joint Legislative Task Force on Family Insurance to decipher a funding mechanism and determine where the program would be housed within the Washington bureaucracy. The group's report in December 2007 moved the state closer to enacting a family insurance program to provide paid leave. Before the long-term program is passed through the legislature, a short-term paid leave program (housed in the Employment Security Department) will begin in October 2009, providing five weeks of paid leave only to new parents at a rate of \$250/week. In the long-term plan, however, Washingtonians will be provided access to leave for the birth or adoption of children, in addition to caring for an ill spouse or family member. Under this plan, workers will pay a payroll tax similar to that in California to fund the family insurance program. With the Governors' proposal of \$6.2 million in start-up funding in the state's 2008 budget, Washington is well on its way to providing families greater access to leave.

Finally, New Jersey became the most recent state to pass a paid family leave bill. On May 2, 2008, Governor Jon Corzine (D-NJ) signed a bill to expand the state's Temporary Disability Insurance (TDI) program to give workers up to six weeks of paid family leave to care for a newborn or a newly adopted child, or to care for a sick family member. Through TDI, New Jersey workers who have been employed at one site for at least 20 weeks will be eligible to receive two-thirds of

their wages (up to \$524/wk) to supplement their time on leave. Like California and Washington, New Jersey's paid leave program is funded through employee payroll taxes of about \$33/year.

Table 2 provides a side-by-side comparison of the paid leave bills in all three states. In discussing the path toward paid family leave in these states, I will emphasize the role of women as policy champions within legislatures, in outside organizations, and together – as women legislators joined with women activists to push for significant policy change. These cases serve as data to support my claims of women's unique role in paid leave advocacy, noting that their political presence in institutional and non-institutional capacities serve to advance the substantive representation of women's interests in governmental policy.

Outsider Activism: Problem Definition, Agenda-Setting, and Insiders

Problem Definition and the Public

The movement for paid family leave in California placed responsibility on the government to take action to ease the burdens on working families and provide wage replacement to extend family and medical leave to the most vulnerable populations. As Kingdon (1995) cites, by defining the problem and placing the burden of solution on the government, Californians created a unified climate conducive to policy passage. Their support is evident in a 2003 poll showing 84.9% of Californians in support of paid leave (Milkman and Appelbaum 2004, 7). Of those supporters, women expressed more support than men, minorities more than whites, and foreign-born persons more than native-born citizens. The opposition included 2.5 times more men than women, again bolstering claims that paid family leave can be considered a “woman's issue” (Milkman and Appelbaum 2004, 7). Public support among women was also strong in New Jersey and Washington. In a March 2007 poll by Lake Research, 79% of Washingtonian women and 65% of men expressed support for family and medical leave insurance (Economic Opportunity Institute 2007). A November 2006 survey by the Eagleton Institute for Politics found that, by a margin of four to one,

New Jerseyans expressed support for the program, with greatest support among women, minorities, and youth (Vercillotti 2006, 1).

Coalition Movement: Labor, Women, and Mothers

While these data demonstrate the importance of the public placing pressure on political representatives by expressing policy support, more organized movement by activists and interest groups has been crucial to the paid leave efforts in all three states. In California, the work of the Coalition for Paid Family Leave was vital in pushing for a paid family leave proposal in the state legislature and ensuring its passage. The Coalition provided, most importantly, an advocacy base of over sixty groups and organizations, including the Work and Family Coalition, California Labor Federation, and constituency groups representing women, children, and minorities.¹⁷ Among the sixty plus groups, fourteen are dedicated solely to advancing women's rights and interests. Twenty-one more are labor unions and groups working to protect the rights and opportunities of workers to balance private and public lives.

Washington and New Jersey also relied heavily on coalition efforts to advance paid family leave proposals. The Washington Family Leave Coalition, headed by the Economic Opportunity Institute, includes organizations representing seniors, women, labor, health professionals, children's advocates, faith communities, low-income workers, employers and others. Of the 35 organizations, at least six identify as uniquely women's organizations. Like California and Washington's advocacy bases, New Jersey's Time to Care Coalition includes labor, women's, minority, and progressive policy organizations. Of these organizations, four are dedicated primarily to women's issues and 16 more represent labor unions, with their new gender-conscious agendas. Interestingly, the Time to Care Coalition also lists its individual members, of which 82.5% are women.

More than thirty of the supporting organizations began an active campaign to support New Jersey's paid leave bill in December 2006, nearly one month after it was proposed in the state

senate.¹⁸ These groups were united in their efforts to spread awareness and support of the proposed bill. For example, NJ-NOW was an active source of support and advocacy, calling on female small business owners to detract opposition from the bill by expressing their support and the *positive* impact that paid leave will have on business. Additionally, the Institute for Women's Policy Research performed a cost-benefit study measuring New Jersey's fiscal viability for family leave insurance, providing both a source of support and response to many opponents of the plan (Naples and Frank 2006). Finally, the New Jersey Coalition is based at Rutgers University Center for Women and Work, ensuring the recognition of gendered interests in advancing paid family leave within the state. In California, New Jersey, and Washington, this external advocacy played an important role in pressuring legislators, shaping legislation, spreading awareness, and providing informational resources and support in the policy process.

While labor and women's groups have influenced policy proposal and advocacy in all three states, it is important to note the strong and growing role of mothers' activism in paid leave movement, especially after the founding of Moms Rising in 2003. Moms Rising, a mothers group steeped in progressive values and activist strategies, has a membership over 130,000 strong. Their *Manifesto* is "a call to action, summoning all Americans – mothers and all who have mothers – to start a revolution to make motherhood compatible with life, liberty, and the pursuit of happiness" (Blades and Rowe-Finkbeiner 2006, 17). Washington's paid leave victory demonstrates the significant impact of mothers' organizing in paid leave advocacy. The head of the Economic Opportunity Institute in Washington state, John R. Burbank, said, "with this new generation of moms (and dads) standing up and demanding true family values, paid family leave became first possible and then actual" (Moms Rising "Taking Action"). In Washington, the group utilized the same key strategies that incited positive action in New Jersey. First, Moms Rising emphasized rapid response organizing, seizing on moments in which the "stars align" to create a political window of

opportunity. Second, the group used personal stories of women's struggles to highlight the need for policy changes. Katie Bethell, Moms Rising program associate, described this area as a "void in paid leave advocacy," citing the significant impact of personal stories on legislators (Bethell 10/16/07).

In the New Jersey coalition for paid family leave, Moms Rising used their online tools to send over 68,000 letters to state legislators in support of the paid family leave bill. The group also reached out to businesses to garner support from traditional paid leave adversaries, presenting the legislature – as they had did in Washington – with letters from women business owners in support of the bill. Finally, in both states, Moms Rising provided visible support by lobbying the states' legislatures through public displays of protest and support. The group sponsored a "Power of ONEsie" display in both Washington and New Jersey where they displayed a collection of baby onesies, decorated with women's stories of work-family struggles, to generate media coverage and confront legislators with mothers' demands for change.

Moms Rising's grassroots focus mirrors the efforts of NOW's Mothers and Caregivers Economic Rights' Task Force in New Jersey's fight for paid family leave. Laurie Pettine, chair of NOW-MCER profiled NOW as an organization always striving for equality. In a recent interview with me, she said, "Feminism is about equality, about giving women an equal playing field," adding, "we will fight for every bill to afford equality," including efforts to close the wage gap between mothers and non-mothers and to help women ease the unequal balance of work and family demands (Pettine 10/9/07).¹⁹ In New Jersey, NOW-MCER generated and sent letters of support to legislators via the web, while also mobilizing supporters to participate in a December lobby day in Trenton. On NOW-MCER's website and in my interview with Laurie Pettine, the benefits of family leave insurance are made clear as the group helps to define the problem of work-family imbalance for women especially; both sources note that women are still disproportionately responsible for the nation's care work, that many of these women cannot afford to take unpaid leave, and that paid

family leave will promote women-friendly workplaces and reduce women's risk of poverty as they age or become ill (NJ-NOW "Five Reasons").²⁰ Both groups' coalitional efforts prove the strength of mothers and women organizing for policies that disproportionately impact them.

Beyond grassroots advocacy, outsider activists in all three states played vital roles in lobbying legislators and contributing to legislative deliberations. Growing opposition both inside and outside of the California state legislature forced the Coalition and insider advocates to "turn up the heat" in the press for paid family leave.²¹ The Labor Project for Working Families launched a media campaign and website to face opposition from business groups, the California Chamber of Commerce, and resistance in the California State Assembly. Throughout these efforts, advocacy groups and legislative leaders were forced to make tough choices about the compromises they would be willing to make to see a successful paid family leave program take hold in California.²² While these compromises arguably weakened the success of paid family leave, they were at least made with the voices of women and labor at the legislative table.

Women were also present, and continue to be, in Washington's compromises and efforts toward paid family leave. In both New Jersey and Washington, numerous women testified before Senate and House committees in support of the paid leave, telling personal stories in some cases, and representing labor, business, and women's interests more generally in others. NOW-NJ's president, Maretta Short, testified before the New Jersey Senate Labor Committee on February 5, 2007 in support of the paid family leave bill. Kristin Rowe-Finkbeiner, co-founder of Moms Rising, testified before the Washington legislature and was later appointed as a member of the state's Joint Legislative Task Force on Family Insurance. All other non-legislative members of the Task Force were women, representing business interests, labor, and economists. Given this direct seat at the table of legislative deliberation, women have served as policy champions in pushing forward Washington's paid family leave program. Marilyn Watkins, representing the Economic Opportunity

Institute, reminded legislators at the Task Force's public report in December that the group is focused on ensuring long-term assistance to working mothers and families, citing the importance of expanding the short-term program to include those workers needing time off to care for ill spouses or family members.

From proposal to passage, then, outsider activists and coalitions have been vital to paid family leave efforts in all three successful states. Women's political and labor force participation have together influenced legislative efforts to promote policies that balance work and family. While only one part of a broader coalition of interest groups and activists, women and mothers have taken a seat at the table in these efforts and have made clear their priorities in shaping legislation and ensuring its success from state to state. In all three states, women's organizations and women leaders have headed coalition efforts and played active roles in lobbying legislatures, indicating the important tie between women's outsider influence and insider actions. I conclude discussion of these cases by noting the evidence of women acting within legislative chambers to advance paid leave interests – both fueled by their own experiences and held accountable by women's organizations and interests more broadly.

Legislative Insiders: Women at the Formal Table

Alongside the powerful women's and labor groups in California came an influential "insider" in State Senator Sheila Kuehl (D). Senator Kuehl represents a policy champion of paid leave, dedicating a full-time staffer to this single issue. As an established legislator with respect from her peers and resources available to dedicate to the paid family leave efforts, the Coalition worked in partnership with Senator Kuehl to introduce SB 1661 on February 20, 2002. Three female legislators also acted as primary advocates for the Washington bill: Senate Majority Leader Lisa Brown (D), Senator Karen Keiser (D), and Representative Mary Lou Dickerson (D). These women, after securing passage through the legislature, were quick to note the important role of women's

activism from outside of chamber walls. In comments made soon after the bill's passage, State Senator Karen Keiser noted, "The Family Leave bill would not have passed without the great work of Moms Rising." Majority Leader Lisa Brown agreed, adding that the mothers group ensured accountability among legislators, "The members of Moms Rising were an integral part of this victory--inspiring everyone they met and communicated with, keeping the pressure on, and holding legislators accountable up to the minutes before the final vote."²³

The New Jersey bill also relied on policy champions within the state legislature. The bill's two primary sponsors, Senators Stephen Sweeney (D) and Barbara Buono (D) were powerful partners moving the bill forward and ensuring its passage. All of the bills sponsors and co-sponsors were Democrats, including four men and three women. Sweeney, a long-time labor advocate, is chairman of the Senate Labor Committee and has been working on this issue for over three years. He provides just one example of the necessary and complementary influence of male legislators in family policy advocacy. Like many female counterparts, Sweeney proved to be a paid leave champion due partly to personal experience. In the final rounds of Senate deliberation, Sweeney spoke of the birth of his now fourteen year-old daughter who remained in intensive care for 75 days after she was born. He said, "I know this type of leave time is necessary because I've been there myself. In my case, I had an understanding employer, but I can't say the same for New Jersey workers."²⁴ Senator Buono, Democratic Conference Chair and mother of six children, emphasized the need to provide *real* choices to New Jersey families: "We have to provide support for workers who do the two most important jobs of all – providing for their families and caring for a loved one."²⁵ Both legislators expressed their support in the media and garnered support among their fellow senators.

The role of legislators as policy champions extends beyond their sponsorship and votes. Legislators also act as advocates in committee hearings and in public discourse. The Berkeley Media

Study Group provides a superb study of how the California law was framed in the news in the weeks leading up to and immediately following the Governor's approval of paid family leave (June through October 2002). Their findings not only point to the gendered framing of paid family life overall, but also show that elected officials played the most significant role in spreading the message for paid family leave in California, accounting for the greatest percentage of commentary in the media reviewed (Berkeley Media Studies Group 2003, 15). The frames used to describe paid family leave efforts in New Jersey and Washington were similar to those in California, emphasizing personal stories of work-family struggles and the importance of caring for family members. State legislators, again ever present in "going public" for paid family leave, also contributed their own stories. Senator Loretta Weinberg (D), a sponsor of the New Jersey bill, said on February 5, 2007: "Having taken 'family leave' to take care of my husband during his serious illness I understand the necessity for this bill. Being both a mom and a grandma I understand its importance, from both ends of life."²⁶ Upon the Senate's passage of the paid family leave bill in March 2008, Senator Weinberg added, "How can I not fight for the same resources for other wives, mothers, and loved ones?" Weinberg's empathy with struggling citizens, and particularly with women, implies the importance of women's voice in political office along with the importance of politicians' personal experiences on their policy preferences.²⁷

In California, Washington, and New Jersey, foundational infrastructure, policy champions and political pressure, and public support proved to be influential factors in pushing paid family leave. Women played an especially significant role as supportive constituents, legislative advocates, and policy activists. From the support of female politicians to the importance of Democratic majorities, these states have relied on sympathetic political insiders to push for a policy facing great opposition from moneyed interests. These insiders, however, are often held accountable, supported, and spurred to action by outsider groups and activists championing paid leave policies as a route

toward advancing women's rights and equality. In making substantive policy changes, all three states have the opportunity to revolutionize perceptions of care work and help make the shift toward truly valuing care in the United States. With the annual value of family caregiving approximated at about \$257 billion, it is clear that care work should be recognized as an economic asset in American society. Subsidizing family and medical leave is a small, yet important, step in this process.

CONCLUSION

Family leave policy faded from significant national attention since the passage of the Family and Medical Leave Act of 1993. However, states have begun to address the problem of *unpaid* leave, albeit at an infant stage. Scholars of social policy, political science, and labor studies have attempted to describe the evolution of such policy expansion, including barriers and benefits in statewide social, political, and economic climates. This study seeks to contribute to that existing literature by showing the unique influence of women's presence, ideas, and actions on proposal and passage of paid leave policies throughout the United States.

With the rise of women in public life, from wage labor to elected office, there are changes in national dialogue of policy problems and priorities. I argue that paid leave is one area in which such a change has occurred. Through empirical data and narrowed case studies, I find that women have acted as policy champions in promoting paid leave, as political insiders in state legislatures and as policy advocates in women's and labor organizations – holding insiders accountable and providing female legislators an alternative space in which their identity and perspective is not marginalized. By clearly defining the problem of work-family conflict and highlighting the disproportionate effects that it has on female employees, these women uniquely influenced family policy discussion, debate, and agenda-setting and formation.

This study addresses the role of gender in policy development. Either through public opinion showing women constituents' prioritizing of the issue or overall data highlighting the paid

leave's importance to (low-paid) women, gender pervades analysis of family leave policies.

Bolstering claims that women really do represent women, this study also notes the significance of women's political/institutional representation on the proposal of paid leave policies, highlighting the relationship of women's descriptive representation with substantive representation of gender issues and contributing to literature detailing the impact of women in public office. Future research will be necessary to measure the consistency of these findings among different environments and varied policy issues, particularly noting women's influence on revaluing care in the public spheres of labor and government. Additionally, both the qualitative and quantitative findings highlight women as only one part of the coalition toward paid family leave. Men, too, are allies in this fight and have themselves acted as policy champions both in and out of formalized government. Finally, the intersection of gender and party continues to complicate political science study on representation. As was evident in the dominance of party strength in the statistical findings, studying women in politics necessitates recognition of these intersectional identities as influencing the priorities and decisions of female legislators on both sides of the aisle.

This study, however, highlights the singular importance of gender, claiming that while they will not be able to do it alone, women are policy champions that elevate debate, promote advocacy, and push for passage of paid leave policies throughout the United States. In her most recent call for women to embrace politics and leadership positions, former Governor Madeleine Kunin (D-VT) concludes, "The difference women make in politics cannot be weighed in votes alone. The conversation changes when women are at the table; that may determine the content of a bill or whether there will *be* a bill" (93). This paper begins to measure the difference women make when they have a seat at the table of state legislatures, noting the unique complement of women outside of the institution in ensuring that, at that table, women will make their voices heard.

Notes

¹ Separate spheres packages include those in which women are expected to reside within the private sphere. Thus, the bills work to protect this division of labor and provide special protections to women who venture into the workforce. Equal opportunity, packages, on the other hand, challenge the limits to women's opportunity and seek equal roles for women within the public sphere. Finally, work-family accommodation packages recognize the interaction of paid work and family life, pressuring employers' to recognize and ease these often conflicting demands (Burnstein et al. 1995, 69).

² "Real wages" refer to those wages adjusted for inflation, allowing for comparison among different time periods.

³ The Parental and Medical Leave Act of 1988 won more support, but was defeated due to a Republican filibuster. Bill sponsors recognized the debate over paid/unpaid leave and were forced to compromise on the bill's financial burden and expansion among businesses in order to achieve bi-partisan support.

⁴ Types of leave can be defined in numerous contexts: pregnancy leave covers leave for recovery and pregnancy-related conditions; parental leave allows leave for the birth or adoption of a child or for a child's illness; medical leave allows leave for illness or disability of the employee; family leave allows the employee to attend to urgent family matters; and family medical leave provides the worker with leave to care for ill family members (Monroe and Garand 1991, 209). In the U.S. context, the majority of these leaves are unpaid. Before FMLA, the majority of these leaves were not mandated in national statute.

⁵ FMLA requires employers with 50 or more employees working within a 75-mile radius to give employees who have worked at least 1250 hours in the previous year the 12-week benefit. Due to its specific application criteria, FMLA only covers approximately 11% of the nation's employers and 55% of employees (Bernstein 2001, 115).

⁶ Han and Waldfoegel (2003) show the limited impact of unpaid leave, largely due to financial reasons preventing individuals from taking leave even when job security is protected (168).

⁷ Extended to male and females; eligible for paid leaves to care for seriously ill child, spouse, parent or domestic partner or for birth, adoption, or foster care placement of a child. Funded by employee-only disability insurance tax contributions from which workers receive as much as 55% of their wages to a maximum of \$727 a week for family leaves (Ross-Phillips 2004, 8-9).

⁸ While women made up about one-quarter of the nation's workforce in 1940, 1997 statistics show that women's participation is now about equal to men's labor force representation (Smith and Bachu 1999, 2). Even those women with children under age three have increased their participation nearly two-fold from 1970-1996 (Cohen 2001, 10). In 1970, 27.3% of women with children under 3 participated in the paid labor force. This increased to 59% in 1996. Similarly, 42.4% of women with children under age 18 worked in 1970, increasing to 70.2% of these women by 1996.

⁹ Data on women's presence in state legislatures is available from the Center for American Women and Politics, Rutgers University, New Brunswick, NJ.

¹⁰ IWPR created a women's resources and rights index of state policies that can be used to advance women's status. These rights and resources fall under several categories: protection from violence, access to income support, women-friendly employment protections, legislation protecting sexual minorities, and reproductive rights (Caiazza 2004, 39).

¹¹ When used for policy studies, event history analysis typically measures policy *passage*, not *proposal*. However, the infancy of paid leave yields only one case of policy passage as of winter 2006. Instead of ridding of the model, however, this analysis will attempt to predict the conditions favorable to policy *proposal*.

¹² Paid leave as a general term encompasses leave that is accompanied by payment of regular or a fraction of a workers' normal wages. In this study, payment through the use of sick days or vacation is not included as paid leave because they are not *additional* benefits provided to workers. Additionally, leave provided hourly for attendance at children's events or appointments is not included in the data. These leave proposals have gained fervor in recent legislative sessions and will provide for an interesting discussion and analysis in future research. Because of the low number of states proposing paid *family* leave, however, I included proposals of paid leave for maternal, parental, or family leave in my measurements (see Appendix A). Finally, paid leave proposals in this study are those that include benefits to both private and state employees. Many states have provided and/or proposed paid leave policies to state employees without concurrent efforts to extend such benefits to private-business employees (AK, AZ, AR, CO, FL, GA, ID, IL, KS, NV, NM, ND, SC, SD, TX, UT, WV, WY).

¹³ Ceaser and Saldin (2005) provide a measure for party strength in the major party index (MPI), intended to measure both the strength of party and level and extent of interparty competition in and between the states. The MPI is comprised of six weighted components (three national offices; three state-level offices), the MPI takes all major elective offices into account, including measures for the two major parties. The resulting score measures the percentage of Republican representation (0-100) in that state. For the purposes of my research, I inverted the scale to show the percentage of Democratic representation in my MPI scores. Scores from 2000-2003 are taken from Ceaser and Saldin (2005) and I calculated scores for 2004 and 2005.

¹⁴ The strength of partisanship as an indicator of bill sponsorship may help to explain the statistical findings that show the strength of party over women's degree of representation in predicting bill proposal overall. When a variable for percentage of Democratic women's representation was included in the model, and the broader measure for Democratic strength removed, the variable neared significance ($p < .12$). This necessitates further and more sophisticated statistical study.

¹⁵ While I have argued that women as a general category have played a vital role as advocates in gender-based and labor organizations for an improved family leave policy, I recognize the dangers of essentializing women's interests and objectives. Moreover, there are women and women's groups that oppose paid family leave, largely due to economic interests and ideological rifts with social welfare increases. The National Association for Women Business Owners, along with its state-based chapters, withholds support from family leave advancement, fearing a detrimental effect on women owners' ability to do profitable business. Republican women in office have also withheld support, sticking to the party line that employees and employers should negotiate employee leaves without involvement from the state. Thus, while women do represent a bastion of support in family leave advocacy, gender identity alone does not guarantee women's endorsement of paid leave programs.

¹⁶ The California Family Rights Act of 1992 implemented unpaid family and medical leave before the national version, the Housing Act of the late 1990s ensured Californian workers four months of leave if disabled by pregnancy, and the 1999 Family Sick Leave Act ensured that workers could use up to half of their sick leave to care for sick family members (Labor Project 2003, 2).

¹⁷ A full list of Coalition members is available through the coalition website at www.paidfamilyleave.org. Some of the groups included are: American Association of University Women (AAUW), American Civil Liberties Union (ACLU), California Catholic Conference, California Coalition for Youth, California Commission for the Status of Women, California NOW, Children NOW, Center on Policy Initiatives, Family Caregiver Alliance, Labor Project for Working Families, and the National Partnership for Women and Families.

¹⁸ Group members of the New Jersey Time to Care Coalition include NJ Citizen Action, Labor groups (AFL-CIO, NJEA, UAW), NJ Policy Perspective, NJ NOW, League of Women Voters (LWV), and the Black Ministers Council.

¹⁹ NOW-MCER's web site makes a similar claim: "These issues are important to the feminist cause to promote equity among all people by acknowledging that everyone in our society, at some point in their life, will either need care or have caregiving responsibilities" (NOW "FAQs").

²⁰ This dedication to care-based issues is not new to feminist organizing, particularly within NOW. In the original NOW statement of purpose (issued in 1966), feminist leaders called for several key MCER policy issues (NOW "FAQs"). NOW also played an active role in the development of the Family and Medical Leave Act of 1993, holding their ground on the need for *paid leave* and becoming an inactive member of the coalition for FMLA only after the wage replacement provision was removed (Bernstein 2001, 96).

²¹ The chronology of policy advocacy, proposal, and passage is available in the Labor Project for Working Family's *Putting Families First: How California Won the Fight for Paid Family Leave*.

²² Before passing the Assembly, advocates of the California law gave in on a number of amendments: reducing coverage from twelve to six weeks, shifting to a system paid for completely through employee contributions, removing job protection for firms with less than 50 employees, and allowing employers to require employees to take up to two weeks of their available sick leave before taking advantage of paid family leave benefits (Labor Project 2003, 8). Similar compromises were made in New Jersey and continue to be made in Washington's efforts to determine the parameters of their leave program and benefits.

²³ Moms Rising. 2007. "We can do it! And we did!" 26 April 2007. Available <<http://www.momsrising.org/node/494>>.

²⁴ Young, Elise. 2008. "Family leave bill awaits Corzine's signature." *The Record*. 8 April 2008. Available < http://www.northjersey.com/news/Family_leave_act_on_Corzines_desk.html>.

²⁵ Goldstein, Scott. 2007. "Paid Leave Clears a Big Hurdle." *NJBiz.com*. 12 Feb 2007. Available < <http://www.njcitizenaction.org/news/pfl024.html>>.

²⁶ "Senator Weinberg issues statement on committee approval of 'Paid Family Leave' legislation." *US States News*. 5 Feb 2007.

²⁷ Senator Weinberg is a co-sponsor of S2249.

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APPENDIX A
PAID LEAVE PROPOSALS, 2000-2005

State	Year	Bill No.	Bill Type
Arizona	2003	SB1334	Paid Family and Medical Leave
Arizona	2001	HB2458/SD1059	Unemployment Insurance Benefits - Parental Leave
California	2002	SB1661	Temporary Disability Insurance - Family and Medical Leave*
Connecticut	2004	HB5368	Paid Family and Medical Leave
Connecticut	2003	SB26	Temporary Disability Insurance - Family and Medical Leave
Florida	2003	SB302	Unemployment Insurance Benefits - Parental Leave
Florida	2002	HB1245/SB500	Unemployment Insurance Benefits - Parental Leave
Florida	2000	HB1473	Unemployment Insurance Benefits - Parental Leave
Hawaii	2005	HB325	Temporary Disability Insurance - Family and Medical Leave
Hawaii	2004	SB2655	Temporary Disability Insurance - Family and Medical Leave
Hawaii	2004	HB1791	Temporary Disability Insurance - Family and Medical Leave
Hawaii	2003	HB25/SB772	Family Leave Insurance
Hawaii	2003	HB30	Temporary Disability Insurance - Family and Medical Leave
Hawaii	2003	SB858	Temporary Disability Insurance - Family and Medical Leave
Hawaii	2002	HB1954	Family Leave Insurance
Hawaii	2001	HB30	Unemployment Insurance Benefits - Family and Medical Leave
Hawaii	2001	HB31/SB892	Family Leave Insurance
Illinois	2005	HB3470	Family Leave Insurance
Illinois	2004	HB4764	Paid Family and Medical Leave
Illinois	2002	SB2144	Unemployment Insurance Benefits - Parental Leave
Illinois	2001	SB389	Unemployment Insurance Benefits - Parental Leave
Illinois	2000	HB4428	Unemployment Insurance Benefits - Family and Medical Leave
Indiana	2001	HB1783	Unemployment Insurance Benefits - Family Leave
Indiana	2000	HB1301	Unemployment Insurance Benefits - Parental Leave
Kansas	2003	HB2276	Paid Family and Medical Leave
Kansas	2002	HB2232	Unemployment Insurance Benefits - Parental Leave
Kansas	2001	HB2232	Unemployment Insurance Benefits - Parental Leave
Louisiana	2001	HB1572	Unemployment Insurance Benefits - Parental Leave
Maine	2003	LD1185/SP389	Temporary Disability Insurance - Family and Medical Leave
Maryland	2003	HB818/SB543	Temporary Disability Insurance - Family and Medical Leave
Maryland	2002	HB933	Unemployment Insurance Benefits - Parental Leave
Maryland	2001	HB933	Unemployment Insurance Benefits - Parental Leave
Maryland	2000	HB983	Unemployment Insurance Benefits - Parental Leave
Massachusetts	2005	HB3944	Paid Family and Medical Leave
Massachusetts	2003	HB2383	Paid Family and Medical Leave
Massachusetts	2003	HB2452	Temporary Disability Insurance - Family and Medical Leave
Massachusetts	2002	S744/H4005	Temporary Disability Insurance - Family and Medical Leave
Massachusetts	2002	H774	Unemployment Insurance Benefits - Parental Leave
Massachusetts	2002	H2097	Unemployment Insurance Benefits - Parental Leave
Massachusetts	2002	H4491	Paid Parental Leave
Massachusetts	2001	H774	Unemployment Insurance Benefits - Parental Leave
Massachusetts	2001	S744/H4005	Paid Family and Medical Leave
Minnesota	2003	HF10	Paid Parental Leave

State	Year	Bill No.	Bill Type
Minnesota	2001	SF1597/HF1623	Unemployment Insurance Benefits - Parental Leave
Minnesota	2000	HF1866	Unemployment Insurance Benefits - Parental Leave
Mississippi	2000	HB368	Unemployment Insurance Benefits - Parental Leave
Missouri	2003	SB44	Temporary Disability Insurance - Family and Medical Leave
Missouri	2000	SB751	Unemployment Insurance Benefits - Parental Leave
Nebraska	2005	LB413	Wage Replacement Savings - Paid Family and Medical Leave
Nebraska	2003	LB37	Wage Replacement Savings - Paid Family and Medical Leave
Nebraska	2002	LB370	Unemployment Insurance Benefits - Parental Leave
Nebraska	2001	LB370	Unemployment Insurance Benefits - Parental Leave
New Hampshire	2001	HB744	Wage Replacement Savings - Paid Family and Medical Leave
New Jersey	2005	A173	Temporary Disability Insurance - Family and Medical Leave
New Jersey	2005	A1892/S239	Temporary Disability Insurance - Family and Medical Leave
New Jersey	2004	A173	Temporary Disability Insurance - Family and Medical Leave
New Jersey	2002-2003	A222/A224	Temporary Disability Insurance - Family and Medical Leave
New Jersey	2002	A1892	Temporary Disability Insurance - Family and Medical Leave
New Jersey	2000-2001	A2037	Unemployment Insurance Benefits - Parental Leave; Temporary Disability Insurance - Family Leave
New Jersey	2000-2001	A1577	Temporary Disability Insurance - Family and Medical Leave
New Jersey	2000-2001	A3049/S1923	Unemployment Insurance Benefits - Parental Leave
New Mexico	2001	HB528	Unemployment Insurance Benefits - Parental Leave
New York	2005	A6150/S2836	Wage Replacement Savings - Paid Family and Medical Leave
New York	2004	A10325	Wage Replacement Savings - Paid Family and Medical Leave
New York	2002	S4473/A7405	Temporary Disability Insurance - Family and Medical Leave
New York	2001	A7453	Temporary Disability Insurance - Family and Medical Leave
Oregon	2001	HB3310/SB241	Unemployment Insurance Benefits - Parental Leave
Pennsylvania	2005	HB1459	Wage Replacement Savings - Paid Family and Medical Leave
Pennsylvania	2001	HB1690	Unemployment Insurance Benefits - Parental Leave
Pennsylvania	2000	House	Unemployment Insurance Benefits - Parental Leave
Rhode Island	2004	S2377	Temporary Disability Insurance - Parental Leave
Rhode Island	2003	S860	Temporary Disability Insurance - Parental Leave
Texas	2001	HB240	Unemployment Insurance Benefits - Parental Leave
Vermont	2001	SB161	Unemployment Insurance Benefits - Parental Leave
Vermont	2000	SB179	Unemployment Insurance Benefits - Parental Leave
Washington	2005	HB1173/SB5069	Family Leave Insurance
Washington	2004	HB2399/SB6272	Family Leave Insurance
Washington	2001	SB5420/HB1520	Family Leave Insurance

* Became law in 2002; enacted in 2004.

Source: National Partnership for Women and Families. February 2006. *Where Families Matter: State Progress Toward Valuing America's Families.*

APPENDIX B
VARIABLES LIST, EVENT HISTORY ANALYSIS

Variable	Operationalization	Source
Women's Representation	Percentage of women in the state legislature by year, by state	Center for American Women and Politics
Democratic Party Strength	The major party index (MPI) is intended to measure both the strength of party and level and extent of interparty competition in and between the states. Comprised of six weighted components (three national offices; three state-level offices), the MPI takes all major elective offices into account, including measures for the two major parties. The resulting score measures the percentage of Republican representation (0-100) in that state. For the purposes of my research, I inverted the scale to show the percentage of Democratic representation in my MPI scores.	Ceaser and Saldin (2005) used for scores from 2000-2003; author calculated MPI scores for 2004 and 2005
Union Affiliation	Data refer to members of a labor union or an employee association similar to a union as a percentage of total employed labor force by state, by year.	U.S. Bureau of Labor Statistics
Female Labor Force Participation	Percentage of women employed in the labor force by state, by year.	U.S. Bureau of Labor Statistics
GDP per capita	GDP per capita calculated by state, by year based on states' economic productivity and spending.	U.S. Bureau of Economic Analysis
Vertical Diffusion	Dichotomous variable to measure the years in which the national government permitted states greater flexibility in paid leave spending via unemployment insurance regulations.	Author
Regional Diffusion	Measures the number of states in a states' U.S. Census region that proposed a paid leave bill in the same year; varies by state, by year.	Author
District Diffusion	Measures the number of states in a states' U.S. Census district that proposed a paid leave bill in the same year; varies by state, by year.	Author
Citizen Ideology	Annual measures of the ideology of a state's citizens created using the roll-call voting scores of state legislatures, the party of the governor, and various assumptions regarding voters. Taken from Berry et al. (1998), updated in 2006.	Berry et al. (1998); 2006 update available via ICPSR
Existing Leave	Dichotomous variable to code states that had an existing family leave policy before the enactment of the federal Family and Medical Leave Act; variable is constant for all years in analysis.	National Partnership for Women and Families

APPENDIX C

BILL SPONSORSHIP, GENDER COMPARISONS BY STATE AND YEAR

State	Year	%Women Sponsors	% Women Legislators	% Democratic Women Legislators
AZ	2003	0	28	12
AZ	2001	41	36	18
CA	2002	67	28	25
CT	2004	100	29	19
CT	2003	33	29	19
FL	2005	100	24	11
FL	2003	100	24	13
FL	2002	100	24	13
FL	2000	100	24	15
HI	2005	50	30	22
HI	2004	40	28	20
HI	2003	23	28	20
HI	2002	29	25	17
HI	2001	0	25	17
IL	2005	67	28	19
IL	2004	100	28	19
IL	2002	0	27	15
IL	2001	67	26	15
IL	2000	75	25	14
IN	2001	50	17	9
IN	2000	50	18	9
KS	2003	0	27	12
KS	2001	N/A	33	13
LA	2001	0	16	12
MA	2005	0	25	22
MA	2003	50	26	23
MA	2002	67	26	22
MA	2001	67	26	22
MD	2003	86	34	26
MD	2002	0	31	24
MD	2001	0	29	23
MD	2000	40	29	23
ME	2003	0	27	19
MN	2003	0	27	13
MN	2001	38	29	17
MN	2000	40	28	17
MO	2003	0	21	14
MO	2000	0	22	12
MS	2000	0	13	10
NE	2005	100	16	7
NE	2003	67	18	Unicameral Legislature

NE	2002	100	20	Unicameral Legislature
NE	2001	100	20	Unicameral Legislature
NH	2001	100	29	17
NJ	2002	37	16	11
NJ	2005	44	17	13
NJ	2000	38	16	9
NM	2001	0	30	17
NY	2005	0	22	18
NY	2004	100	23	17
NY	2002	50	22	16
NY	2001	100	22	16
OR	2001	67	33	21
PA	2005	13	13	6
PA	2001	25	14	7
PA	2000	9	13	6
RI	2004	40	20	16
RI	2003	80	20	16
TX	2001	0	19	10
VT	2001	40	28	18
VT	2000	100	32	24
WA	2005	53	33	23
WA	2004	52	35	24
WA	2001	73	39	26

Source: Bill sponsorship data compiled by author from state legislature websites, with gender validation by author via web; women's representation data from the Center for American Women and Politics.

NOTE: Conclusions based on this data are not advised because sponsorship and co-sponsorship reporting varies by state. In many instances where no women are sponsors, only one sponsor is reported per bill. In other states, all signatories to the bill are considered co-sponsors and reported (upwards of 30). However, this data is interesting in showing the strength of women's sponsorship in unique states as compared to their overall institutional presence.