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How to Support Mothers and Caregivers in the Workplace: A Critical Race Feminism Employer Guide

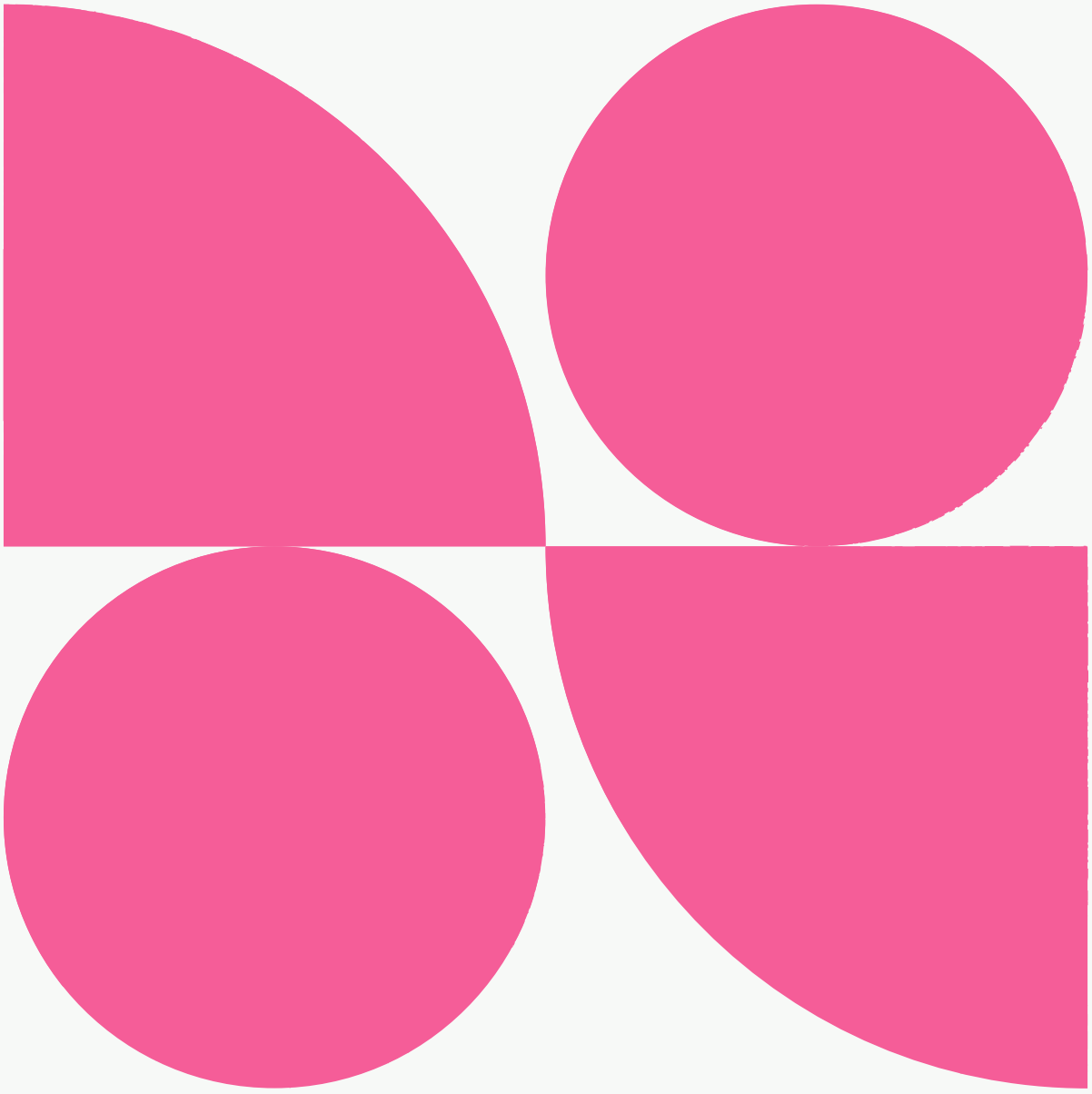


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Introduction

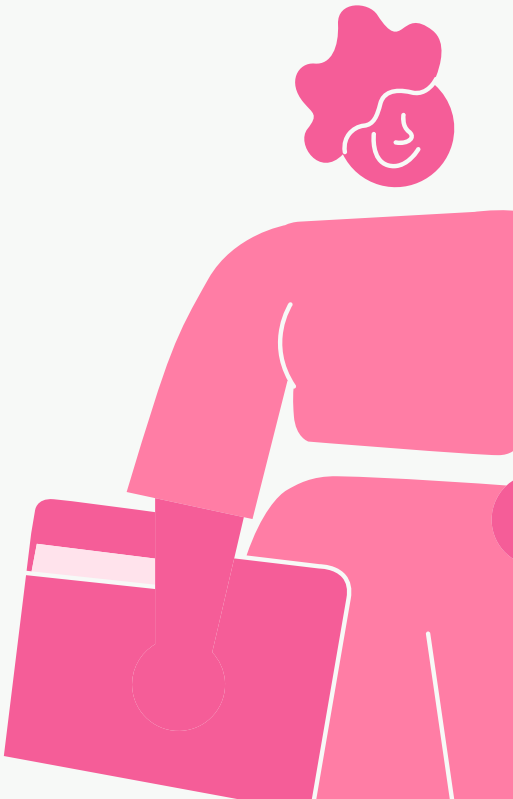
You may be thinking, my workplace has a leave policy for mothers and caregivers in the workplace, isn't that enough? The answer is no. The primary reason that employers should consider more than just leave policies for mothers and caregivers is that the challenges working parents and caregivers face in the workplace do not end once they're back at work after leave. In fact, many new and impactful challenges in the workplace only begin once they are working while simultaneously caring for children or loved ones. The numbers speak for themselves:

- Mothers are 40% more likely than fathers to report that child care issues harmed their careers
- 23% of working parents say they've been treated as if they aren't committed to their work because they have kids.
- About 43% of women workers had at least one year with no earnings:, twice the rate of men.
- Half of U.S. families report difficulty finding child care.

Women of color face even greater challenges in the workplace. Many caregivers lack sufficient access to affordable child care, reliable health care, and other support systems, leading to additional judgment from their managers and employment hurdles. Every time caregivers leave early to pick up their children or are forced to miss a day of work to care for a sick loved one, they face additional scrutiny at work. Many of these challenges stem from inherent societal and structural racism, classism, and sexism.

This handbook offers employers a guide to the unique challenges working parents and caregivers face through the lens of Critical Race Feminism. The goal of this handbook is to not only enlighten workplace leaders about this issue, but also offer tangible solutions that can be implemented immediately to reduce the hostility towards working caregivers in the American workplace.





Critical Race Feminism

What does Critical Race Feminism have to do with workplace policies for caregivers? Critical Race Feminism has everything to do with workplace policies because it is the study of systems of oppression - which includes how women and caregivers are treated in the workplace. A tenet of Critical Race Feminism is that women of color face multiple forms of discrimination and harassment based on race, class, and gender. The challenges faced by women of color stem from workplaces that are defined by White male patriarchy, racism, and socio-economic oppression.

Caregiving carries a penalty, including reducing wages, occupational status, and employment opportunities, and this penalty is exacerbated for women of color. Additionally, the assumption that working mothers are less committed to their jobs is intensified when elements of racism and classism are at play. Modern American workplaces are designed for and controlled by men; therefore, women already face significant obstacles to career success. Being a woman of color and a working mother significantly enhances these challenges in the workplace.

Black women suffer "double discrimination" because they tend to be breadwinners for their families and lack access to childcare and other forms of family support. Due to the history of racist and sexist hiring practices, Black women more often find themselves in low-paying and inflexible occupations that are excluded from worker protections and do not offer benefits. These factors reinforce the work and family conflict for women of color who have caregiving duties at home.

Employers may promote how they have tackled women's challenges in the workplace generally but often neglect to address different types of biases based on race, ethnicity, and other factors. **Without considering the interplay between sex, race, and class, employment policies fail to address the root of disparities, such as those between White women and Black women, in pay disparity, advancement opportunities, unemployment rates, and other forms of discrimination that persist in the American workplace.** This guide will offer thought-provoking examples, context, statistics, and solutions for employers to consider in their workplace.

- **Black mothers are more likely to participate in the workforce than mothers of any other race.**
- **85% of Black mothers are the primary, sole or co-breadwinner for their families.**
- **Black mothers make only 54 cents compared to White father's dollar. Latina mothers, only 46 cents.**



Family Responsiblity Discrimination

Employers may be familiar with Title VII discrimination but are unfamiliar with Family Responsibility Discrimination (FRD). This is a term for workplace discrimination based on biases about how employees with family caregiving responsibilities will or should act in the workplace. Despite exemplary work performance, family caregivers may be fired, rejected for hire, passed over for promotion, demoted, and harassed because of their responsibilities at home. This discrimination disproportionately affects black women. According to the Economic Policy Institute, 67.9% of black working mothers are single mothers, making them the primary or or sole economic providers for their families. By comparison, only 29.6 percent of White working mothers are single mothers. Consider the following examples of FRD.

Example

Assumptions

Imagine a White male supervisor manages a young Black woman. The supervisor has a wife at home that takes care of their children. Would he relate to a young Black single mother who is not only responsible for her children, but perhaps other family members? He may not understand her unique position, and demote or fire her based on the assumptions she will be less committed to her work.

Example

Discrimination

Consider a new mother returning from maternity leave, still suffering from postpartum depression, and she asks her employer for more time to recover. This request is denied. However, her male colleague, who returned after medical leave was granted an extension because he was not ready to return to work.

Example

Harassment

Consider a pregnant women that is part of an all-male team. She finds herself shut out of meetings and excluded from work trips. Her colleagues don't want the hassle of a pregnant person when they want to work late or schedule things last minute. It is too much work for them to consider doctors' appointments or lactation breaks in their planning.



Maternal Wall

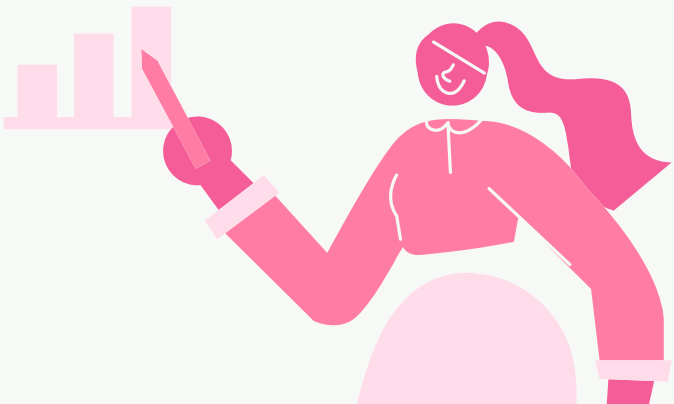
A Critical Race Feminism
Employer Guide

In a recent landmark federal case, *Back v. Hastings-on-Hudson Union Free School Distric*t, the court held that an employer who assumed that a mother was less committed to her job because of home responsibilities was engaging in potentially illegal gender stereotyping. This type of discrimination is called the "Maternal wall," a type of bias that occurs when employers view mothers, and even caregivers, as less competent and less committed to their jobs.

Joan C. Williams, Professor of Law and Director of the Center for WorkLife Law, conceived the phrase "maternal wall" and stated that "women who have been very successful may suddenly find their proficiency questioned once they become pregnant, take maternity leave, or adopt flexible work schedules. Their performance evaluations may plummet, and their political support evaporates." Women of color face even greater scrutiny in the workplace, especially when pregnant or facing family responsibilities.

Workplace Scenario	Maternal Bias	Change your Mindset
Your coworker often talks on the phone with their mother that they care for with dementia.	Employee is distracted from their work, and disturbing the office. They should be reprimanded.	Is the employee meeting their goals and tasks? Would a White male colleague that speaks to friends or his wife often be reprimanded?
A black woman sits before a hiring committee. She talks about her children and elderly parents.	Black women are often the breadwinners for their family. This candidate will require a lot of exceptions to deadlines and may not be available as often as a White married woman may be.	Are you stereotyping a candidate based on assumptions about her family? Are you considering racist beliefs in your maternal stereotyping?
A colleague blocks off her calendar on Saturdays.	You assume she's blocking her calendar for activities with her kids, and you think that is unfair and not necessary.	If a man blocked his calendar off on weekends, would you think it's unfair? What about for sporting events, like golf?





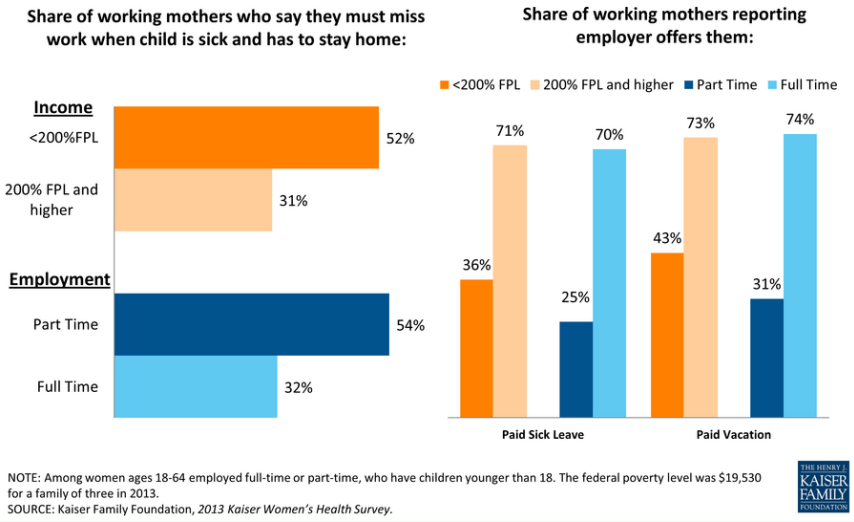
Breastfeeding and Workplace Benefits

The American Academy of Pediatrics recommends mothers try to exclusively breastfeed infants until at least six months if they can. Despite the many health benefits of breastfeeding, employers are still often hostile to new mothers trying to work and breastfeed at the same time. Studies show that providing paid leave after giving birth, flexible work schedules, and support for breastfeeding or lactation at work help support mothers in the workplace.

Does your workplace provide a lactation room? If so, is it private, comfortable, and clean? Can women schedule their workdays with pumping breaks without concern for their jobs?

Figure 3

Working mothers who are low-income or have part-time jobs have more child care responsibilities but also have fewer workplace benefits



NOTE: Among women ages 18-64 employed full-time or part-time, who have children younger than 18. The federal poverty level was $19,530 for a family of three in 2013.
SOURCE: Kaiser Family Foundation, *2013 Kaiser Women's Health Survey.*

Black women are more likely than White women to need to return to work earlier than 12 weeks and tend to face more inflexible work hours that make breastfeeding and childcare more difficult. This leads to racial disparities concerning the health outcomes for infants, as well as a significant lack of support at work for women of color who are responsible for children and their families.

On December 29, 2022, President Biden signed t the PUMP for Nursing Mothers Act ("PUMP Act"), which extends the right to receive break time to pump and a private place to pump at work to more nursing employees.



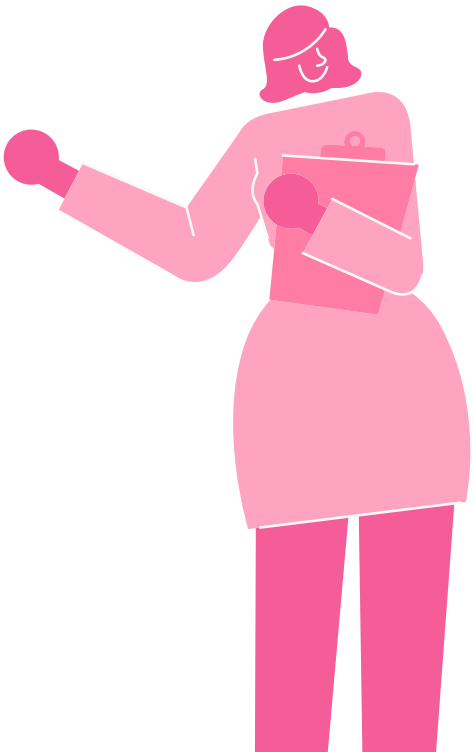
The Childcare Crisis

Childcare is unaffordable for most working parents, costing on average $10,000 a year. In September 2023, the $24 billion in childcare stabilization grants allocated by Congress during the COVID-19 pandemic expired, causing approximately 70,000 childcare programs to close. It is expected that 3.2 million children may lose their childcare. Childcare is essential for working mothers and caregivers to succeed in their careers and provide for their families. According to the U.S. Bureau of Labor Statistics, as many as 100,000 Americans have been forced to stay home from work each month because of childcare problems. The economic toll amounts to $122 billion each year in lost earnings, productivity, and revenue.

A typical median-income Black family with two young children spends 56% of their income on childcare and 13.1% of Black parents either quit or are likely to quit or do not take a job due to childcare issues.

The childcare crisis can be devastating for Black parents, especially single-parent households that cannot divide caregiving duties or cannot afford to take a break from work to look after children.

Childcare challenges are exacerbated for Black and multiracial parents: they experience job disruptions related to child care problems at nearly double the rate of White parents.



Solutions

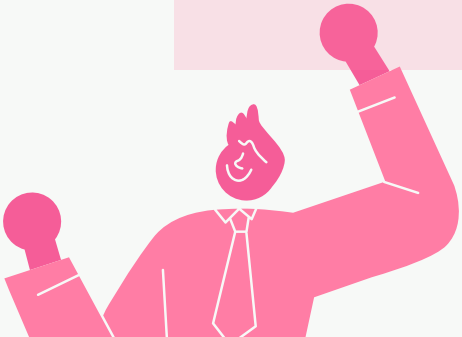
Employees are refusing to tolerate unsupportive and inequitable workplaces in greater numbers, and many companies need help to retain and recruit talent. Mothers and caregivers are valuable to businesses. American businesses lose an estimated $12.7 billion annually because of their employees' childcare challenges. The cost of lost earnings, productivity, and revenue due to the childcare crisis totals an estimated $57 billion yearly. If your company wants to counteract the racism, sexism, and classism built into the modern workplace and for the company to succeed, consider the following changes to your workplace policies and benefits.

Implement Flexible Schedules and Work-From-Home

Flexible schedules are beneficial to all workers, including non-caregivers. Caregivers may face fewer penalties at work when all employers are allowed to leave work early for a doctor's appointment or another family need. Flexibility helps parents be more productive with their time and helps all employees balance their work and lives. Work-from-home and flexible schedules should be "reason-neutral" to avoid bias against caregivers. Employers should avoid scrutiny over employee whereabouts and instead evaluate employees for their work product. This will help avoid hostile work environments for caregivers.

Subsidize Childcare

Consider providing on-site childcare or childcare subsidies. Although this may sound daunting, UPS recently announced that it would expand its on-site childcare initiative to more of its workers. About 80% of eligible workers took advantage of the benefit during the recent pilot program. As a result, the company avoided more than 120 unplanned absences and saw a significant drop in employee turnover, from 31% to 4%. This type of benefit would attract and retain talent in your workplace.





Paid Leave

Paid leave policies allow families to avoid leaving the workforce following the birth of a child or after caring for a loved one and can help prevent low-income mothers from falling into poverty after giving birth. Lack of paid leave contributes to delayed child immunizations and postpartum depression.

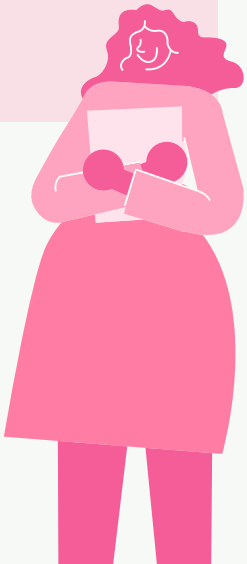
Studies from other countries found that offering paid leave is helpful for businesses by increasing productivity and reducing employee turnover. Recent research on California's paid leave policy has found that making paid leave more broadly available has helped minority women, those with less education, and unmarried women afford to take leave.

In a 2021 poll, 73% of adults in the U.S. said they support federal funding for paid leave, demonstrating a clear desire by employees for this benefit. Widespread benefits like paid leave lead to increased productivity and imrpoved employee satisfaction.

Policies and Training

Consider incorporating parental and caregiver status in employer antidiscrimination policies . Human Resources departments can also educate supervisors about caregiver and maternal discrimination. Employers should also examine hiring, work-from-home, and promotion policies to make sure they are free from discrimination against caregivers, especially caregivers of color. Employers should make hiring and firing decisions based on business needs rather than assumptions about a caregiver's commitment and quality of work.





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