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REFERENCES

Sholar, Megan A., *Getting Paid While Taking Time: The Women's Movement and the Development of Paid Family Leave Policies in the United States*, Philadelphia: Temple University Press, 2016, 240 pages, ISBN: 978-1-4399-1295-9, \$ 29.95

- 1 How can a country which has had the most vibrant women's movement in the world be at the same time the only developed country that does not mandate paid maternity/family leave, a benefit which is now recognized as essential for the health and economic security of families, and whose absence is a source of gender and class inequality? In her book, which traces the evolution of the women's movement on the issue and the role of various women's organizations in the policymaking process regarding work-family balance, political scientist Megan Sholar provides significant clues. The first chapters of her well-researched book highlight the historic ambivalence of American feminists towards supporting policies encouraging women to work and raise children, and the division of the women's movement over maternity coverage. But the main interest of *Getting Paid While Taking Time* lies in its case studies of State level initiatives, an area somewhat neglected by researchers with the exception of the State of California.¹ This pioneering work covers in depth the reasons for the success of paid leave campaigns in the four States which had passed legislation by March 2016 (California, New Jersey, Rhode Island and New York) as well as those leading to the failure of such attempts in four States where advocates have led similar efforts. It concludes on the prospects for passage of a national program at a time of growing

political momentum for family friendly policies. Two dynamics are at work there: feminism as a social movement and its power to produce social change both through the legislative process and grassroots mobilization, and the capacity of States to fill a policy void and pass progressive legislation blocked at the federal level.

- 2 Sholar's qualitative research approach draws on multiple sources, including archival materials and dozens of interviews with activists involved in historic and recent campaigns for family leave. She focuses on the diversity of women's movement actors and their grassroots, lobbying and legal strategies to achieve their goals. Her study also identifies other influential actors such as unions, children's advocates, senior groups and legislators.
- 3 Chapter two highlights the unity which eventually prevailed within the movement and helped mobilize public opinion for passage of the Pregnancy Discrimination Act in 1978, a pivotal moment in the fight for workplace equality strongly influenced by the civil rights movement. Sholar contrasts it with the tensions and fragmentation which marked the lengthy debate over the adoption of the Family and Medical Leave Act as the campaign's focus shifted from what radical feminists saw as women's rights in the workplace to a labor/family approach to appeal to a broader coalition. Although it adds little to the existing, abundant scholarship on the legislation and on the equality vs. difference controversy among feminists, this section provides the necessary historical perspective on the issue. It clarifies the role of the various women's organizations, and highlights the split between NOW (who did not support the bill because it was unpaid and had other priorities) and other groups such as the Women's Legal Defense Fund. The latter saw family leave as a major issue, and was instrumental in building the coalition which led to its passage in 1993 and (as the National Partnership for Women and Families) would be at the forefront of the battle for paid family leave several decades later. Nevertheless, the division within the women's movement and competing priorities on its agenda (such as reproductive rights, workplace discrimination or domestic violence) weakened the bill and hampered the efforts to achieve further gains nationally in the following decades.
- 4 However, the limitations of the FMLA (in addition to being unpaid, it currently leaves out 40% of workers) and its failure to challenge gender norms to meet the needs of a changing workforce and to promote economic opportunity for women drove activists to renew their efforts to enact paid leave. Since the early 2000s, with varying degrees of success, in the face of congressional inaction, initiative for policy innovation has shifted back to the States, many of whom had adopted their own family and medical leave before the federal law.
- 5 In her account of the policymaking process which led to the adoption of paid leave in four States, Sholar focuses not only on women's organizations, but also on other advocates and on the political environment which prevailed at the time of the campaigns, as well as on the institutional framework which allowed the smooth implementation of the programs. The case studies highlight both the common elements which led to successful campaign outcomes (broad coalitions, legislative lobbying, outreach campaigns at the grassroots levels, democratic control of state government,) and the specificities of the local contexts. Although the programs promoted and the laws passed differ somewhat in their generosity (number of weeks, job protection, wage replacement levels) they are all gender-neutral and employee-funded, through the States' temporary disability insurance program.

- 6 Unlike other State campaigns, the California initiative has been amply documented. Sholar supplements the usual sources with interviews of women's movement activists, in particular the Coalition of Labor Union Women and 9to5, National Association of Working Women. Although feminists were united in pushing for the legislation, it appears clearly that the women's organizations which were at the forefront of the fight for paid leave in California were those which had historically strong ties with the labor movement whose support was essential.
- 7 The first detailed account of the Rhode Island campaign provides rich insights into the role women actors played in its successful outcome, whether as legislators or members of women's organizations. In this small New England State, a relatively quick victory was achieved thanks to the activism of a key actor, State Senator Gayle Goldin, a former policy analyst at the Women's Policy Institute of the Women's Fund of Rhode Island, who was determined to push paid leave on the legislative agenda and get it passed even if it meant agreeing to major concessions. She worked hard to garner support inside the legislature and convince lawmakers of the economic and social benefits of the new program for the State. She benefited from the support of two crucial actors in control of the policymaking process: the President of the Senate and a highly respected member of the House, both women. And outside the legislature, a coalition of community, senior, labor and women's organizations led an effective grassroots campaign.
- 8 The lengthy fight for paid leave in New York (a first bill failed to pass in 2005; the program, offering 8 weeks of job-protected paid family leave, will be gradually phased in by January 2018) illustrates the complex factors which contribute to the success of what have become broader social justice campaigns more than battles for women's rights. If women's groups were active members of a big tent coalition similar to those which achieved victory in the other States, other concerns (reproductive rights, domestic violence, equal pay) had mobilized their energy and resources for several years, reflecting the difficulty of activists in prioritizing the issue at the national level. They did move it to the top of their agenda in 2015 along with other community organizations, but if the strong advocacy campaign built support both inside the legislature and among the public, it was Governor Cuomo's decision to support paid family leave and make it a priority which was crucial to its passage in March 2016. This unexpected turnaround (he had previously opposed it due to the hostility of the business community), due to a combination of personal but mostly political reasons, allowed advocates to score a victory which had long eluded them.
- 9 However, while U.S. federalism traditionally fosters innovation and experimentation in social welfare programs, these victories will be difficult to replicate. Just as interesting are the lessons to be drawn from the failure of several States to pass similar legislation despite repeated attempts and progressive political cultures, which points to the limits of policy diffusion across the States as a potential pattern of social change. Women's groups were active members of the coalitions which led awareness raising campaigns and lobbied legislators to pass paid leave programs in Washington, Oregon, Massachusetts and Hawaii. However, these States do not have a temporary disability insurance system to build on (only five States do) and the lack of a funding mechanism is a major obstacle to the creation of such programs (Hawaii has a TDI system but it has been privatized). Washington did pass legislation in 2007 but it was never implemented. On the other hand, in recent years paid sick days have taken precedence over paid

family leave in activists' top concerns, even if grassroots campaigns initially mobilized around family leave as in Oregon. Paid sick leave can be framed as a more sensitive workplace justice issue, especially among low wage, low skilled workers, and has attracted union support, which has been crucial to achieving success at the State and local levels. As for partisanship, although success is more likely in Democratic dominated States, the situation is more complex than it appears: in Hawaii and Rhode Island, two historically nominally Democratic States, party identification hardly means anything in the local context.

- 10 In addition to the entrenched opposition of the business community, which argues that it would add to their costs (despite studies showing the impact on employers being positive or neutral), paid leave as a public policy faces several major obstacles. It is a low priority issue for legislators which rarely features at the top of their political/policy agendas. Although the topic is popular with the public, it is hard to unite a constituency around it: highly paid workers usually have access to some form of privately provided paid leave, while at the grassroots level it has been tough for activists to mobilize the people who need it the most: low wage, low skilled, mostly female workers who lack the time and resources to get engaged. And while earlier victories were anchored in a mass movement for social change and in second wave feminism, paid family leave, unlike reproductive rights, has failed to generate such vibrancy. There have been no mass demonstrations in favor of paid family leave similar to those in the 60s and 70s in favor of reproductive rights or gender discrimination. On the other hand, in more subtle ways, new modes of communications have contributed to organizing a dispersed constituency through the feminist blogosphere. Sholar notes the crucial role Momsrising, a grassroots, online-based advocacy group, played in several States campaigns. The organization, founded in 2006, aimed at giving working mothers a voice in the digital space to voice their concerns, submit suggestions on issues such as childcare, flexible scheduling and paid sick/family leave, and appeal to government officials to find solutions. This bottom-up approach has produced surprising results in terms of membership and political activism both online and offline, with a million members who can mobilize from home and flood legislators with e-mails to back a bill.
- 11 What future then, for paid family leave in the United States? Significant victories have been achieved at the State and local levels, and the issue has gained prominence thanks to the efforts of activists. It has attracted frequent media coverage and featured on candidates campaign agendas in 2016. In order to attract and retain workers, a growing number of corporations now offer generous packages. However, these perks only benefit the highest paid workers, and only 13% percent of private sector workers in the United States have access to any paid leave. If bills have been introduced in Congress, partisan polarization and a lack of political will from the Democrats have sharply reduced the likelihood of success for national legislation in the near future. On the bright side, under Barack Obama, in addition to administrative action and rhetorical efforts to promote paid family leave, the federal government has bypassed Congress and relied on the States to achieve its progressive policy goals, providing financial incentives to encourage them to set up their own programs. Given the current political climate, an incremental, State-by-State approach seems to be the likeliest, albeit unsatisfactory path towards this crucial benefit. As for women's organizations, Sholar concludes that when paid leave is high on their agenda, they can initiate a movement and build coalitions, but without the support and resources of unions and elected

decision makers they will not be able to influence the policy making process. The narrative has changed, and paid family leave is now part of the national conversation, but there is a long journey ahead before it becomes a universal benefit.

- 12 *Getting Paid while Taking Time* is a valuable contribution to the research on family policy, women's studies, and federalism. It provides an interesting perspective on the way women's movements influence agenda setting and policy formulation. It offers a convincing analysis of the complex interplay of contextual factors and critical actors in the shaping of paid leave policy and it demonstrates both the promise and the limits of states as laboratories of innovation. Occasionally though, the book suffers from repetition. Thus Chapter 6 insists on the division within the women's movement as the major cause of the failure to pass family leave legislation, which was already largely analyzed in Chapter 2. Aside from that, the emergence in the mid 2000s of new women's organizations and advocacy networks (Family Values at Work or A Better Balance), which unlike traditional women's groups prioritize paid leave and which have played a major role in the successful outcome of state campaigns, might have deserved further discussion. What is perhaps also missing is the broader context of the recent State and local campaigns and their possible interconnection with other battles and social justice movements (fair scheduling, fight for fifteen) led by labor/community organizations in their fight against economic inequality in the aftermath of the Great Recession.

NOTES

1. See in particular: Ruth MILKMAN and Eileen APPELBAUM, *Unfinished Business: Paid Family Leave in California and the Future of U.S. Work-Family Policy*, Ithaca NY, ILR Press, 2013.

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