

**ORAL CONCOURS 2015**  
**ANGLAIS - LVI****The US is still the only developed country that doesn't guarantee paid maternity leave**

The US supreme court on Wednesday is hearing the case of 42-year-old Peggy Young, who sued her employer, UPS, for pregnancy discrimination. Young claims the shipping company refused to accommodate her pregnancy by giving her a temporary assignment to avoid lifting heavy packages. But as the case unfolds, the US continues to shirk an even more basic pregnancy accommodation: maternity leave.

The US is the only developed country that doesn't guarantee paid maternity or parental leave to workers. It's an often-cited statistic, but one which should continue to shock us.

Compared to other rich nations in the OECD group, America's outlier status is stark: the UK guarantees 39 weeks of paid leave for mothers, two of which are mandatory. Australia offers 18 weeks. And Mexico, the US's neighbor to the south, gives mothers 12 weeks of paid leave, reimbursed at 100% of their salary.

Most of these countries also offer paid leave for fathers, but the most comprehensive data we found counts maternity leave separately. In the US, paid parental leave is considered a benefit provided by employers. Yet, only 12% of workers reported having such coverage in 2013, according to an estimate from the Bureau of Labor Statistics National Compensation Survey.

The US federal government has guaranteed "job-protected" at unpaid leave for both mothers and fathers since 1993 – as long as those mothers and fathers have been full-time employees for at least 12 months at a company with more than 50 employees. The Family and Medical Leave law, as it is known, gives at least some workers who need to take pregnancy-related time off a guarantee that their jobs – and health insurance – will stay put while they're gone. But it's little help to the many Americans who can't afford to take time off without pay.

Major roadblocks to paid parental leave in the US have come from business organizations, like the National Restaurant Association, who claim that the provision of such benefits doesn't apply to them, or that it will be a financial burden, said Eileen Appelbaum, a senior economist at the Center for Economic and Policy research. This makes the issue difficult to get through Congress, especially when the T-word – taxation – is involved.

Last year, Representative Rosa DeLauro and Senator Kirsten Gillibrand introduced comprehensive legislation that would give workers 12 weeks of paid parental leave, funded by a 0.2% increase in payroll taxes. MSNBC declared it doomed on arrival.

Since 2002, four states – California, New Jersey, Washington and Rhode Island – have set up their own initiatives to increase access to paid parental leave through plans similar to DeLauro and Gillibrand's proposal, where funds for future leave are deducted directly from wages like a payroll tax. (Three other states, California and New Jersey also allow expectant and new mothers to go on paid leave through disability claims, under long-standing Temporary Disability Insurance laws.)

California now offers up to six weeks of paid leave for workers, at 55% of their regular weekly wage. That's still below the 12 weeks offered by Mexico, and certainly Britain's 39, but a big step above many other US states. The Obama administration has recently offered states support through the Department of Labor, which awarded money to Massachusetts, Montana, Rhode Island and the District of Columbia to study the feasibility of new paid leave policies.

"There's overwhelmingly support for these policies from the public," Appelbaum said, but added that it's the business owners and organizations who still need to be convinced. State initiatives help parents locally, but they can also put increased pressure on national policy by helping to prove that paid parental leave works in America and that it doesn't hurt business.

"No one would call California or New Jersey bad states for business, would they?" Appelbaum said.

"Pressure will finally grow for a national policy if states succeed," she added.