

The Build Back Better bill would make paternity leave equitable for all fathers

BY JEFFERY LEVING

The House of Representatives last week took a much-needed step to get our country on the right track by passing a \$1.75 trillion bill that will combat climate change, expand health care and update the nation's social safety net.

The Build Back Better Act has a long and difficult road in the Senate and may ultimately be kicked back to the House for revisions. But among the provisions that must remain is the federal guarantee of paid family and medical leave for all workers.

The bill would allow, starting in 2024, for new fathers (and mothers) to take up to four weeks of paternity leave, giving them time to bond with their new child.

A guarantee of paternity leave is essential. According to a 2016 study by the National Partnership for Women & Families, 41% of America's work force has employers that provide paid paternity leave to some workers, yet only 9% of workers work for companies that provide paid paternity leave to all workers. Usually, paternity leave is a perk for employees with skills that are in high demand. For lower-income families and individuals, taking paternity leave is far more difficult.

In my law practice, which is focused on representing fathers, I sometimes represent struggling clients who have no guarantee of taking time off when a son or daughter is born. This is neither fair nor just.

A long-overdue fix

While the Build Back Better bill was



A young man holds a sign in support of the Build Back Better bill at a rally on Thursday, a day before the House passed the legislation. JEMAL COUNTESS/GETTY IMAGES

passed 220-213, largely along party lines, paid leave for parents is generally a bipartisan issue. For Americans, paid parental leave is long overdue. Ninety-two countries already offer it, and although a handful of states and cities in the U.S. have passed family leave and paternity leave laws, that patchwork approach is not good enough. The Organization for Economic Cooperation and Development agreed, ranking the U.S. dead last among 41 countries for parental leave laws in 2018.

The United States does offer paternity leave now, under the Family and Medical Leave Act, but that is an unpaid benefit that really only helps rich fathers. For many men, including many who are people of color, FMLA is not a realistic option. Fairness should not be a luxury only for the rich.

The BBB Act does more than just offer fathers and mothers four weeks of guaranteed pay when a child is born. It makes paid leave accessible to all workers, including childless adults, young adults and parents

alike. Workers can take a leave to welcome a new child by birth, adoption, or foster care. They can also use it to recover from a serious illness or to care for a seriously ill family member. And it expands the definition of family to spouses, domestic partners, children, siblings, grandparents, grandchildren, in-laws and other associations by blood or affinity that are equivalent to a family relationship.

Recognizing the diversity of family structures increases equity for all families, including those who are more likely to live in multigenerational homes.

Perhaps the most important aspect of the bill is that it would provide the greatest benefits to workers with the lowest incomes, with a progressive wage structure that scales down as workers earn more. Workers earning the national median income of \$35,000 (\$673 per week) would receive 80% of their weekly earnings. Workers earning more than \$1,192 per week would receive \$814 per week, regardless of their income. The bill supports, rather than supplants, more robust state or employer plans.

Senate Majority Leader Chuck Schumer aims to have the chamber pass the bill before Christmas.

Study after study shows the importance of fathers in their children's lives, and study after study shows the relationship begins in those vital first weeks. Congress must pass this long overdue bill quickly.

Jeffery M. Leving is founder and president of the Law Offices of Jeffery M. Leving Ltd., and is an advocate for the rights of fathers.