Opinion: The forgotten origins of paid family leave [1]

Author: Siegel, Mona
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EXCERPTS

Working mothers have never had it easy — but a century ago this weekend, they won a landmark victory. On Nov. 29, 1919, the nascent International Labor Organization adopted the Maternity Protection Convention of 1919, calling for 12 weeks of paid maternity leave, free medical care during and after pregnancy, job guarantees upon return to work and periodic breaks to nurse infant children. In the decades since, every developed country in the world has established or surpassed this international standard — except the United States.

How did this coalition of government, industry and labor leaders come to recommend such a forward-looking policy a century ago? It wasn't by choice. Instead, it was the result of feminists and female trade unionists demanding fair labor standards for working women — including paid maternity leave — as a matter of social justice and international security in the aftermath of the First World War. Global leaders bent to their will.

Women played a vital role in the war. The conflict mobilized whole economies as well as vast armies; as working-age men dug into the trenches, women took their place on the factory floor. Poorly paid seamstresses and domestic servants laid down their needles and aprons and went to work building tanks and filling shells. War work was grueling, but it paid decently, and female laborers took pride in doing their part.

Most female munitions workers were young, single and childless, but a sizable minority were married and in their peak reproductive years. The high demand for female workers made the delicate balancing act between productive and reproductive labor a priority for warring nations. In some English factories, pregnant women were moved to lighter tasks to keep them working up to delivery. In France, the legislature mandated factories provide on-site nurseries and paid breaks for breastfeeding mothers. Women flocked to trade unions in record numbers.

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When news of the armistice broke on Nov. 11, 1918, working women from the Allied nations poured into the streets in joyous celebration of the victory they had helped to achieve. In the months ahead, however, many of these same women would be summarily dismissed from their jobs to make way for returning veterans.

In the cold winter of 1918-19, the rights of working women were nobody's priority. Not the governments that had so recently sung their praises. Not the trade unions that were focused on securing the eight-hour day for male breadwinners. In January 1919, in gratitude for workers' patriotic sacrifice during the war, Allied leaders placed labor concerns squarely on the negotiating table, but the Labor Commission they created to advise them was — much like the Paris Peace Conference itself — an entirely masculine affair.

When the composition of the Labor Commission was announced, women labor activists wasted little time registering their displeasure. Among the discontented was Mary Macarthur, the fiery daughter of a wealthy Scottish cloth merchant who, when sent by her father to spy on his shop assistants, instead encouraged them to unionize and joined the union herself, starting a career as highly successful organizer. During World War I, British Prime Minister David Lloyd George had tapped her to serve as a government labor adviser. In January 1919, upon learning that Lloyd George had declined to appoint a woman to the Labor Commission in Paris, she fired off an angry telegram: "Omission to consult representative women on international labour policy subject of much comment here / organized women workers have instructed me to respectfully request an explanation."

Women in France and the United States similarly protested. They also began to organize.

With the negotiations underway in their own back yard, French feminists quickly convened an Inter-Allied Women's Conference in Paris to champion women's rights at the peace table. On Feb. 10, 1919, their first day together, Inter-Allied feminists met face-to-face with President Woodrow Wilson and requested representation in all diplomatic matters of particular interest to women, including those touching on suffrage, peace, international governance and labor legislation.

To prepare to intercede on the last of these issues, the Inter-Allied women turned to the French union leader Jeanne Bouvier. Bouvier had begun her working life at age 12 after phylloxera struck the grape vines of southern France and her father, a wine barrel maker, lost his livelihood overnight. Still a child, she was sent into the silk mills to provide for the family. Later, she moved to Paris, working first as a

domestic servant and then as an underpaid dressmaker before finally committing herself to labor organizing. In 1919, Bouvier agreed to help head up a labor subcommittee of the Inter-Allied Women's Conference and draw up a list of working women's concerns.

Having caught word of women's organizing in Paris, the National Women's Trade Union League of America purchased berths for two of its chief organizers on the next ship crossing the Atlantic. Mary Anderson and Rose Schneiderman were both immigrants of working-class background. Anderson hailed from Sweden and was a longtime bootmaker. Schneiderman, born in the Jewish Pale of Settlement in the Russian Empire, got her start as a capmaker in New York's Lower East Side. In 1909-10, Schneiderman cut her teeth as a union organizer overseeing a hard-fought strike by thousands of impoverished female garment workers just before the infamous Triangle Shirtwaist Factory fire. In their bags, the two Americans carried a "working women's charter," laying out the economic and political rights that American labor women hoped would be included in the peace settlement.

While Anderson and Schneiderman slowly shivered their way across the Atlantic (their ship having been stripped of its heating elements during the war), Bouvier and her subcommittee of several dozen European feminists, union activists and social democrats got to work in Paris outlining women's central demands. Fewer and flexible work hours, equal pay for equal work, a unified labor code for men and women and paid maternity leave were all on their agenda. So too were guarantees of a prescribed role for women in formulating national and international labor policy.

After a month of tirelessly lobbying, the Inter-Allied women were finally invited to "state their case" before the Labor Commission (as well as the League of Nations Commission) at the peace conference. On March 18, 1919, the commission president and head of the American Federation of Labor, Samuel Gompers, ushered Bouvier and her colleagues into the French Ministry of Labor, where the women methodically laid out their vision of fair international labor standards for working women.

It is difficult to say how much the women accomplished. The charter the Labor Commission drafted — which the peacemakers adopted in whole and incorporated into the Versailles Treaty — created a new permanent body, the International Labor Organization, and charged it with establishing just and equitable labor standards to regulate work conditions around the world. In a nod to women's demands, the charter endorsed the principle of equal pay for equal work, and it placed the question of maternity leave on the agenda of the first I.L.O. conference, to be held in Washington later that year.

On the central issue of whether women would be able to help shape policy decisions at the I.L.O. conference, however, the Labor Commission refused to take a stand. Rather than calling on women to serve as conference delegates, it offered only the tepid recommendation that women be appointed as nonvoting "advisers" to national delegations, on hand to offer advice when questions "specifically affecting women" arose. The end result is that not one of the 40 states that sent a delegation to the inaugural I.L.O. conference appointed a woman to serve as a voting delegate.

Women knew this exclusion spelled trouble. Fortunately, American labor feminists had a plan.

Upon hearing Anderson's and Schneiderman's report of all that had transpired in Paris, the National Women's Trade Union League of America issued a call to female trade unionists and their allies in 44 countries, inviting them to Washington to participate in the first International Congress of Working Women. It was time, they said, for working women "to assume responsibilities in the affairs of the world."

In response, more than 200 women from Europe, Asia, and North and South America descended on the capital in late October 1919. Jeanne Bouvier served as the standout delegate from France. Mary Macarthur came from Britain with her infant daughter in her arms. Tanaka Taka, a professor of social work at the women's university in Tokyo, was four months pregnant when she traveled by ship all the way from Japan. Bouvier, Macarthur and Tanaka were among the 23 women who served double duty as delegates to the women's congress and as nonvoting advisers to their nations' respective delegations to the I.L.O. conference.

Maternity leave was on the I.L.O. agenda. It was also a matter of concern for female activists who understood better than anyone the hazards that pregnancy posed for working women.

By 1919, many European countries had adopted laws requiring three or four weeks of unpaid maternity leave, stranding poor working families with newborns in dire economic straits. Bouvier's labor subcommittee in Paris had discussed these laws with two female doctors, both of whom insisted that working women needed a minimum of six weeks of rest before and after pregnancy, and that the leave must come with benefits "sufficient for the full and healthy maintenance" of mother and child.

At Bouvier's prompting, the International Congress of Working Women endorsed the doctors' recommendations. United in purpose, the women then took their fight down the street to the I.L.O. There they argued passionately for 12 weeks of paid maternity leave as a medical necessity and a social right.

Employers' delegates to the I.L.O. wasted little time registering their objections. "Most medical experts," the delegates — all of them men — insisted, "favor the idea that it is best for a working woman to continue her work as long as possible before childbirth." Mary Macarthur supplied the rebuttal: If employers truly believed this claim, they would be sending their own expecting wives into the factories to reap the health benefits of manual labor while nine months pregnant! Male employers had little to offer in response. On the final day of the conference, the I.L.O., by a large majority, adopted the Maternity Protection Convention of 1919, the first articulation of fair and just conditions for working mothers around the world.

At the time of the measure's passage, no nation in the world met the I.L.O. standard. European and Latin American countries began signing onto the convention in the 1920s and 1930s. After World War II, many Asian and some newly independent African nations followed suit. By 2018, 33 of 34 member nations of the Organization for Economic Cooperation and Development guaranteed paid leave to working

mothers; 32 of the 34 guaranteed paid leave for working fathers as well. To this day the United States remains an outlier.

Countries worldwide adopted paid maternity leave — and later, paternity leave — for both ideological and pragmatic reasons. Some emphasized government responsibility for the welfare of their citizens. Others acted on more on practical concerns about economic and demographic recovery in the aftermath of two devastating world wars.

In the United States, unlike much of the world, paid maternity benefits evolved as a privilege rather than a right. Today, an ocean of difference separates the Fortune 500 company professionals who enjoy generous maternity leave packages from the mass of blue-collar and service workers, who are reduced to taking unpaid leave under the Family Medical Leave Act. Driven by economic necessity, nearly a quarter of American working women return to the job less than two weeks after giving birth, often sacrificing their own and their children's health in the process.

In 1919, American and European feminists led the global fight for paid maternity leave as a baseline standard of social justice. By 2019, multiple generations of working families the world over had reaped the benefits of their efforts. In the United States, the struggle continues a century on.

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