

Motherhood: Benefit or Burden to Business

Elizabeth R. Schiltz
Professor of Law, University of St. Thomas and
Co-Director, Terrence J. Murphy Institute for Catholic Thought, Law, and
Public Policy
Minneapolis, MN USA

If we weren't already convinced before this conference, surely by now there is little doubt about the urgent need for the insights of the feminine genius in all sectors of society – in the home, surely, but also in our halls of government, our schools and universities, and our businesses.¹ The specific contribution of women may lie in some unique and particular genius, gift, or aptitude. Or it could be, as suggested by Sr. Prudence Allen in her writings on integral complementarity, that it is the synergetic effect of men and women working *together* that is necessary to generate the most creative, fruitful, successful approaches to contemporary challenges.² A growing body of evidence from multiple disciplines demonstrates that men and women working together on almost any sort of project tend to reach different – and better -- results than either men working alone or women working alone.³

However, an argument for *women* in the workplace does NOT, in itself, furnish a compelling business case for **mothers** in the workplace. Is there something unique about the gifts, talents, and perspectives of women who are **mothers**, or something unique about what women who are **mothers** add to the dynamic of men and women working together? That is a harder case to make. Yet there are at least two very important reasons to attempt to make such a case.

The **first reason** is that, without solid arguments for accommodating mothers in workplaces, even employers who are convinced of the value of women in the workplace have little incentive to accommodate parenting. Why assume the undeniable costs and inconvenience of accommodating the demands of caregiving, instead of simply hiring more women who do not have children – women who conform to the model of the “ideal worker” around which modern economies structure employment. (The “ideal worker” is one with no personal commitments that impede his ability to devote long, steady hours and years to his career, without interruptions for childbearing or caregiving.⁴) Why encourage the women who do have children to stay on the job, instead of discouraging them, in order to replace them with childless women? Instead of instituting policies to make it easier to balance the demands of families and work, why not follow the example of companies like Apple and Facebook, and institute policies to encourage women to delay bearing children until after they have provided the maximum number of good, productive, child-less years of service to their companies, at which time they can unfreeze the eggs they have frozen at company expense, and start their families?⁵

The **second reason** is Mary Ann Glendon's warning about the dangers of the absence of mothers in positions of leadership:

[F]or the first time in history large numbers of women occupy leadership positions and almost half of these new female leaders – unlike male leaders – are childless. Will this affect our goals and values? Will it affect our

programmatically agenda? You bet it will. People without children have a much weaker stake in our collective future. As our leadership group tilts toward childlessness, we can expect it to become even harder to pay for our schooling system or for measures that might prevent global warming. American's rampant individualism is about to get a whole lot worse.⁶

We need the voices of mothers in individual workplaces – businesses and government offices -- for they have the most at stake in pushing for policies to enable parents to balance their work and their caregiving responsibilities. We need the voices mothers are in national and international governance, for they have the most at stake in continuing to remind their nations and the world of the reality that the overwhelming proportion of the world's poverty population is composed of women and children – across the globe, in countries of all stages of development.⁷

So what sorts of arguments can we make, to convince employers that a cost-benefit analysis of accommodating mothers in the workplace justifies generous accommodations? I will focus on four:

- 1. Businesses want women workers, and most women workers want to be mothers.**
- 2. Businesses benefit long term from the caregiving work of mothers, and should thus shoulder some of its cost.**
- 3. Accommodating motherhood is not, in fact, as much of a burden on businesses as is commonly thought.**
- 4. Mothers offer some unique and valuable skills to the workplace.**

1. Businesses want women workers, and most women workers want to be mothers.

The most obvious, and most likely the most compelling argument for accommodating mothers is the fact that most women do become mothers, and most mothers also perform some sort of paid labor in addition to their caregiving.⁸ This simple reality underlies the very important, equality-based arguments for workplace accommodation of caregiving that has convinced most countries in the world to enact some forms of guaranty of maternity protections for women workers.⁹ Indeed, the Church has long recognized that the “true advancement of women requires that labor should be structured in such a way that women do not have to pay for their advancement by abandoning what is specific to them and at the expense of the family.”¹⁰ However important those equality-based arguments are, though, they do not interest me for this short 15-minute presentation today. My focus is on making the **business case** for accommodating mothers in the workplace. In that regard, these same basic facts provide equally powerful arguments. Whether businesses become convinced of the benefits of hiring women for the reasons discussed earlier, or whether businesses are compelled by quotas or anti-discrimination laws to hire women, they have to accept that hiring women will involve hiring substantial numbers who become mothers, and retaining those women will require some accommodation of mothering. This is a practical argument, derivative of the argument that women offer something unique to the workplace. It is therefore a somewhat unreliable argument – vulnerable to challenge

on a number of fronts already discussed – do women really add value to the workplace? Even if they do, is supporting mothers really necessary to attract qualified women, or would it be cheaper to institute benefit packages discouraging women workers from becoming mothers? For this reason, many feminists in the United States have turned to arguments focusing on the longer-term social benefits of caregiving work, my next argument.

2. Businesses benefit long term from the caregiving work of mothers, and should thus shoulder some of its cost.

Some American feminist legal scholars have been developing arguments that caregiving should be accorded a higher social value than it currently is, and should thus be more robustly supported, because raising children benefits the whole of society.¹¹ It is essential to ensuring future generations of healthy, capable citizens and workers. Mothers pay the disproportionate cost of this benefit, allowing our businesses and social institutions, as well as men and childless women, to be “ ‘free-riders’ appropriating the labor of the caretaker for their own purposes.”¹² One such scholar argues: “instead of viewing accommodations for parenting as only benefitting the parents, [we should] understand that we all benefit from parents’ choice to procreate; after all, society needs procreation to continue and employers need procreation to continue to have employees in the future.”¹³ Another scholar emphasizes the increasing value of the work of caregiving in the new global economy, where “[h]uman capital is more important . . . than it has ever been. Skilled human beings are the raw material of the new economy, the key ingredient in the recipe for prosperity in the post-industrial age.”¹⁴ Scholars note that children who grow into responsible adults become the new generation of workers supporting us as we age through their labor and their taxes.¹⁵

These communitarian arguments are likely to be more persuasive in shaping general social policy, however, than in convincing individual employers to accommodate mothers. They may influence employers in countries where there is widespread consensus about caregiving as a general social benefit, the burden of which should be shared by all, through some sort of social security funding. However, there are many countries, including my own, in which there is no such social consensus, and the burden of accommodating caregiving is left entirely to individual employers. A 2014 study by the International Labor Organization of maternity and paternity benefits across the globe concluded:

By 2013, over 100 countries examined (58 per cent) financed benefits through social security, while 16 per cent relied on a combination of payments by employers and social security. Roughly one-quarter (47 countries) continued to stipulate that payment during leave should be covered entirely by the employer with no social security provision.¹⁶

So, are there any more direct arguments we might make to business in countries like the U.S., which do NOT impose this long-term social altruism on its businesses? Let us consider two.

3. Accommodating motherhood is not, in fact, as much of a burden on businesses as is commonly suggested.

Countless careful studies, across industries, and across the globe, demonstrate the reality of the “motherhood wage penalty.”¹⁷ Women who are mothers earn less than women who have no children or men, whether or not the men have children. This motherhood wage penalty persists in research that controls for reduced work hours or reduced productivity.¹⁸ Research shows employers “stereotyp[e] mothers as less competent and committed than otherwise identical workers who are not mothers.”¹⁹ In one of these studies, for example, “participants shown a video of a woman interacting with others in a work scenario gave the woman lower performance and work commitment ratings when she appeared to be pregnant compared to an otherwise identical video in which the same woman did not appear to be pregnant.”²⁰ In another study, participants were asked “to evaluate profiles of management consultants that varied on sex category and parental status. They found that female consultants, but not male consultants, were rated as less competent and worthy of hire or extra training when they had children. A similar study asked participants to evaluate resumes for attorneys and found that mothers were held to stricter standards than fathers and disadvantaged in hiring and promotion.”²¹

A very interesting recent study confirmed that mothers are generally stereotyped as less competent and committed than non-mothers, but that this stereotype can be overcome by convincing proof of competence and work commitment. Overcoming that stereotype with evidence of super-competence, however, signals stereotypically masculine qualities such as assertiveness or dominance, which are inconsistent with the warmth and nurturing qualities culturally expected of mothers, for which mothers are punished in salaries and opportunities.²² Sort of difficult bind for us working mothers, isn't it?

But these studies certainly suggest the importance in bringing such studies to the attention of employers, to openly confront hidden, unjustified biases that unjustifiably devalue the “benefit” in any cost-benefit analysis of the ‘burdens’ of accommodation.

Another important step is to challenge unjustified presumptions about the size of the burden – the assumption that mothers will be less committed to their work, and thus less productive workers than non-mothers. There are some studies, showing that under some particular measures of productivity, mothers are less ‘productive’ than non-mothers.²³ But there is also evidence to the contrary. Data from the U.S. Department of Labor, for example, shows that work absences for illness, injury or medical problems (which affect *all* workers) are “often twice to three times as high as absence from “child care problems; other family or personal obligations; civic or military duty; and maternity or paternity leave.”²⁴

Another very interesting study compares the “pro-work” activity of mothers, to that of fathers and nonparents, using data from a National Survey of Midlife Development in the United States (a random pool of 4963 adults ages 35-86). This study analyzed responses to questions like: How much thought and effort do you put into your work situation these days? How often do your responsibilities at home reduce the effort you can devote to your job? How often do you get so involved in your work that you forget about everything else, including the time?, How often do you have to work very intensely, that is, are you very busy trying to get things done? How often do activities and chores at home prevent you from getting the

needed amount of sleep to do your job well?²⁵ The author found that mothers' and fathers' pro-work behaviors were more similar than they were different, and that neither was, in fact, different from non-parents behaviors. Any significant difference between mothers and non-parents of either sex could be explained by the addition of controls for family/home responsibilities, and attributes such as marital status.²⁶

Because the survey did reveal (as many studies have established) that mothers, in fact, spend more time doing household chores than fathers, the author of this study was led to speculate on exactly *how* the mothers were managing to do all of this. She offered a couple of possible explanations. Perhaps mothers, aware of the biases against mothers discussed above, were overcompensating at work to overcome the negative stereotypes. Or perhaps mothers were behaving differently than fathers and nonparents on the job and at home, to maintain high levels of energy and effort at work. At home, mothers may be reducing their standards for housework compared to their standards before parenthood (definitely one of my strategies), or giving up leisure time. At work, mothers may be delegating more tasks, or, "[k]nowing their family and home demands their attention, mothers may work wisely, staying on task and wasting little time on the job so they can complete job tasks while at home."²⁷ (Sound familiar to anyone here?) Indeed, the study found that mothers reported with greater frequency than fathers that they are often so involved at work they forget about everything else, even the time. The third possible explanation from this author was that "mothers' parenting skills at home may cross over into the workplace. The multitasking, task prioritizing, creativity, and interpersonal skills needed to raise a family and run a household promote efficiency, focus, and organization – skills highly prized in the workplace. ... Women may be drawing on the skills they use at home to help, rather than hurt, them at work."²⁸ Which brings us to my last argument.

4. Mothers offer some unique and valuable skills to the workplace.

The skills identified above that are honed by parenting – organization, the ability to multi-task, the ability to prioritize, and to focus intently on the current priority, and emotional intelligence – are all qualities of the most successful workers. Of course, "Fatherhood likely provides a training ground for men, but since they engage in less childcare and housework, on average, than mothers . . . , mothers gain more 'experience' from home than fathers."²⁹ Ann Crittenden's 2004 book: *IF YOU'VE RAISED KIDS, YOU CAN MANAGE ANYTHING: LEADERSHIP BEGINS AT HOME*, surveyed sixty professional women leaders, and concluded that motherhood made them better executives.³⁰ As one executive who manages a team of twelve, five of whom are moms with kids under five, put it: "Moms know better than anyone how to squeeze twice the output into half the time."³¹ One entrepreneur argues that these qualities are particularly valuable for entrepreneurs, whose success depends on their ability to prioritize, multitask, deal with people of different backgrounds and needs; she explains that "'The way that everything changes when you have a child is the same as how everything changes when you start a company.' The lack of sleep, the constant craving for information to steer you in the right direction, learning what your parenting style is – all of this is the same process entrepreneurs go through in the early stages of the company."³²

It is crucially important for us to identify and to draw attention to these particular skills that can be honed by motherhood. It is important not just because

we want to find ways to put them on our resumes and C.V.'s so that employers will hire and promote us. It is also important because forging social consensus around the idea that parenting develops crucial work skills could help combat our modern culture's false and harmful insistence on the incompatibility of work and family. The skills of a good worker should not be seen as diametrically opposed to the skills of a good mother. If we succeed in weakening the cultural barrier between 'what makes a good worker' and 'what makes a good mother', we will not only help women succeed at work, but we may also foster a work culture that is more open to the view of work held by our Church.

As Saint John Paul II taught us in *Laborem Exercens*, "however true it may be that man is destined for work and called to it, in the first place work is "for man" and not man "for work."³³ "Work constitutes a foundation for the formation of family life, which is a natural right and something that man is called to. These two spheres of values - one linked to work and the other consequent on the family nature of human life - must be properly unified and must properly permeate each other."³⁴ In an address at the General Audience on August 12, 2015, Pope Francis spoke of the need to celebrate, even, sometimes, in the work environment. He said, "sometimes in the work environment also - and without failing in duties - we are able to 'infiltrate' a burst of celebration: a birthday, a marriage, a new birth . . . It's important to celebrate. They are moments of familiarity in the gears of the productive machine: it does us good! However, a true time of celebration halts professional work and is sacred, because it reminds man and woman that they are made in the image of God, who is not a slave of work, but Lord; therefore, we also must never be slaves of work, but "lords." ... The obsession of economic profit and the efficiency of technology put at risk the human rhythms of life, because life has its human rhythms."³⁵ In this address, the Holy Father was focusing on the rhythm of the preserving the Sunday as a weekly day of rest, but I think we could extrapolate on that. One of the greatest benefits mothers offer a business is the very fact that, from time to time, they do impose burdens, burdens that offer a powerful witness to the rhythms of human life. These are the rhythms of the beginning of the day, and the end of the day, when children, the sick, and elderly parents need to be held, fed, bathed, comforted, and loved. They are the rhythms of the beginning of life and the end of life, when children, the sick and the elderly need to be held, fed, bathed, comforted, and loved. These reminders of the rhythms of life might be the most significant benefits mothers can offer to businesses, as constant reminders that, in the first place, work is "for man" and not man "for work."

1 Saint John Paul II recognized that, “[w]omen will increasingly play a part in the solution of the serious problems of the future: leisure time, the quality of life, migration, social services, euthanasia, drugs, health care, the ecology” (Pope John Paul II, *Letter of Pope John Paul to Women* ¶ 4 (1995)); that women’s voices were needed for the “establishment of economic and political structures ever more worthy of humanity” [Id. ¶2.]; and that “the greater presence of businesswomen in executive positions in the economy is giving it a new human inspiration and removing it from the recurring temptation of dull efficiency marked only by the laws of profit.” John Paul II, “Equal Opportunity in the World of Work,” (Angelus Reflection, August 20, 1995) in *John Paul II on the Genius of Women* (Washington, DC: United States Conference of Catholic Bishops, 1997), 32.

2 For a more in-depth discussion of Sr. Allen’s theory of integral complementarity, see Elizabeth R. Schiltz, *The Promise and the Threat of the “Three” in Integral Complementarity*, in PROMISE AND CHALLENGE: CATHOLIC WOMEN REFLECT ON FEMINISM, COMPLEMENTARITY AND THE CHURCH, Mary Hasson, ed., Our Sunday Visitor (2015) [hereinafter *Promise and Challenge*]; Elizabeth R. Schiltz, *A Contemporary Catholic Theory of Complementarity*, in FEMINISM, LAW AND RELIGION (Eds. Marie Failinger, Elizabeth R. Schiltz and Susan J. Stabile), Ashgate Press (2013).

3 See *Promise and Challenge*, at 77-79.

4 See Joan Williams, UNBENDING GENDER: WHY FAMILY AND WORK CONFLICT AND WHAT TO DO ABOUT IT (2000).

5 Siri Srinivas, *Facebook and Apple to pay for female employees to freeze their eggs*, THE GUARDIAN (Oct. 15, 2014) (at: <http://www.theguardian.com/money/us-money-blog/2014/oct/14/apple-facebook-pay-women-employees-freeze-eggs>) (last visited Nov. 22, 2015).

6 Sylvia Ann Hewlett, CREATING A LIFE: PROFESSIONAL WOMEN AND THE QUEST FOR CHILDREN, Talk Miramax Books (2002), 158-159.

7 Mary Ann Glendon, *Address to the Economic and Social Council Commission on the Status of Women* (March 7, 2005).

8 In 2014 in the United States, the labor force participation rate for mothers with children under the age of eighteen was 70.1%. U.S. Dept of Labor, Bureau of Labor Statistics, EMPLOYMENT CHARACTERISTICS OF FAMILIES —2014 (April 23, 2015), available at: <http://www.bls.gov/news.release/pdf/famee.pdf>. See also Elizabeth R. Schiltz, *West, MacIntyre and Wojtyla: Pope John Paul II’s Contribution to the Development of a Dependency-Based Theory of Justice*, 45 J. Cath. Legal Stud. 369, 372 - 373 (2007) [hereinafter “Dependency”].

9 *Maternity and Paternity at Work: Law and Practice Across the World*, International Labour Organization (2014) [hereinafter “ILO Report”].

10 John Paul II, *Encyclical Letter Laborem Exercens* ¶ 19 (1981). See also John Paul II, *Apostolic Exhortation Familiaris Consortio* ¶ 23 (1981); John Paul II, *Encyclical Letter Evangelium Vitae*, ¶ 90 (1995).

11 These groups include the “care feminists” or “dependency feminists” (see generally “Dependency”), and “communitarians” (see generally, Nicole Buonocore Porter, *Why Care About Caregivers? Using Communitarian Theory to Justify Protection of ‘Real’ Workers*, 58 KAN. L. REV. 355 (2010) [hereinafter “Why Care?”].

12 Maxine Eichner, *Dependency and the Liberal Polity: On Martha Fineman’s THE AUTONOMY MYTH*, 93 CAL. L. REV. 1285, 1312 (2005).

13 *Why Care*, at 396.

14 Ann Crittenden, THE PRICE OF MOTHERHOOD: WHY THE MOST IMPORTANT JOB IN THE WORLD IS STILL THE LEAST VALUED 72 (2001). (OR Jane Waldfogel, *What Children Need* 42-43 (2006)?

15 Mary Becker, *Care and Feminists*, 17 WIS. WOMEN'S L.J. 57, 74 (2002), quoting Paula England & Nancy Folbre, *The Silent Crisis in U.S. Child Care: Who Should Pay for the Kids?* 563 ANNALS AM. ACAD. POL. & SOC. SCI. 194, 195 (1999). In addition to the economic value of caregiving in ensuring future cadres of productive workers, scholars have noted that mothering "provides special value to a democratic society that relies on civic participation." Rona Kaufman Kitchen, *Eradicating the Mothering Effect: Women as Workers and Mothers, Successfully and Simultaneously*, 26 WIS. J. OF LAW, GENDER & SOC. 167, 209 (2011). Deborah Stone, *Why We Need a Care Movement*, THE NATION, 13, 15 (Mar. 13, 2000); See also, Linda C. McClain, *Care as a Public Value: Linking Responsibility, Resources, and Republicanism*, 76 CHI.-KENT L. REV. 1673 (2001). "Caring is the essential democratic act, the prerequisite to voting, joining associations, attending meetings, holding office and all the other ways we sustain democracy." Deborah Stone, *Why We Need a Care Movement*, THE NATION, 13, 15 (Mar. 13, 2000); See also, Linda C. McClain, *Care as a Public Value: Linking Responsibility, Resources, and Republicanism*, 76 CHI.-KENT L. REV. 1673 (2001). Caregiving is described as being "crucial to developing human moral potential, to instilling and reinforcing in an individual a sense of positive connection to others. And it is this sense of connection that makes possible the whole range of mutual responsibilities that allow the people of a society to respect and work toward common goals." Mona Harrington, *CARE AND EQUALITY: INVENTING A NEW FAMILY POLITICS* 49 (1999).

16 ILO Report, xii.

17 See the collection of such research cited in Stephen Benard and Shelley J. Correll, *Normative Discrimination and the Motherhood Penalty*, 24 GENDER & SOCIETY 616, 616-617 (2010), and in Julie A. Kmec, *Are Motherhood Penalties and Fatherhood Bonuses Warranted? Comparing Pro-Work Behaviors and Conditions of Mothers, Fathers, and Non-Parents*, 40 SOCIAL SCIENCE RESEARCH 444, 445 - 446 (2011).

18 Ariane Hegewisch and Janet C. Gornick, *The Impact of Work-Family Policies on Women's Employment: A Review of Research from OECD Countries*, 14 COMMUNITY, WORK & FAMILY 119, 125 (2010).

19 Benard & Correll, *supra* note 22, at 618 (citing a survey of such research in Stephen Benard, In Paik, and Shelley J. Correll, *Cognitive Bias and the Motherhood Penalty*, 59 HASTINGS L. J. 101 (2008).

20 *Id.*

21 *Id.*

22 *Id.* at 639. The authors of this study conclude that the complexity of cultural expectations about mothers in the workplace suggest the need to focus not only on "leave" policies, but also on "stay" policies, in order to change the culture of workplaces: "such policies could have important cultural implications by signaling that workplaces view work and family as compatible. Emphasizing the compatibility of work and family as not just a practice but also as a norm with broad-based cultural support could help to reduce ... discrimination." *Id.* at 641.

23 See, e.g., David E. Kalist, *Does Motherhood Affect Productivity, Relative Performance, and Earnings?*, 29 J. LABOR RES 219 (2008) (concluding that the earnings of players in the Ladies Professional Golf Association, which the author argues are strictly determined by relative performance, decline based on motherhood); Jean E. Wallace and Marisa C. Young, *Parenthood and Productivity: A study of Demands, Resources and Family-Friendly Firms*, 72 J. OF VOCATIONAL BEHAVIOR 110 (2008) (finding decrease in billable hours of law firm mothers with school-aged children).

24 Victoria Pynchon, *Working Mothers Pose Fewer Burdens for Employers Than Their Co-Workers*, Forbes on line (Feb. 13, 2012), available at: <http://www.forbes.com/sites/shenegotiates/2012/02/13/working-mothers-pose-fewer-burdens-on-employers-than-do-their-co-workers/2/> .

25 Kmec, *supra* note 22, at 449.

26 *Id.* at 456.

27 *Id.*

28 *Id.*

29 Kmec, *supra* note 22, at 456.

30 Ann Crittenden, IF YOU'VE RAISED KIDS, YOU CAN MANAGE ANYTHING: LEADERSHIP BEGINS AT HOME (2004).

31 Stacy Epstein, *Five Reasons Your Company Needs More Moms*, (June 7, 2012), available at: <http://www.inc.com/stacey-epstein/why-you-should-hire-more-moms.html> .

32 Lisa Evans, *How Motherhood Prepares You for Entrepreneurship*, May 7, 2015, available at: <http://www.entrepreneur.com/article/245782> (quoting Julie Pezzino).

33 *Laborem Exercens*, *supra* note 12, ¶ 17.

34 *Id.* at ¶ 10.

35 Pope Francis, General Audience: On Family Life (August 12, 2015), available at: <http://www.zenit.org/en/articles/general-audience-on-family-life--2> .