

Men's Confraternity

A Group of Men and Women United for a Purpose

To Provide: Mutual support and self-help in Family Law matters;
To Promote: Justice, equality and harmony within the family and community and maintain a balance between men's and women's rights.
To Create: Awareness of social issues and affect social change.
To Address: Areas of discrimination, citizens' rights, law reform and relevant social issues.
To Preserve: Social ideals, standards, morals, and ethics.
To Serve: The community, family, men, the Confraternity and it's helpers.

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Productivity Commission
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Re: Inquiry into Paid Maternity, Paternity and Parental Leave Submission by Men's Confraternity Inc

Dear Sir/Madam

Please find following, our submission to the inquiry into paid maternity, paternity and parental leave.

Sincerely

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Children need the love and care of BOTH parents

Introduction

Men's Confraternity is appreciative of the opportunity to make a submission to the Productivity Commission regarding this incredibly important issue. Whilst there are a number of issues of concern to Men's Confraternity, which will be outlined in our submission below, the most important issue is the equitable nature of any paid parental leave system that the Productivity Commission may recommend.

As a country that purports to have adopted and promotes the principles of gender equality, it is very distressing to our organisation and our members, that Australia seems determined to create ever greater divisions between the genders by introducing policies that give services and advantages for women, at the expense of or to the exclusion of men. It has been a long held belief of our organisation, that the solution to gender inequality issues is the removal of attitudes, legislation and policies that treat people differently based upon their gender. Indeed, it will only be when, as a country, we stop looking at gender as an issue and start treating all people the same, irrespective of gender, that we will be able to move forward.

This inquiry is another example of how as a country we have the potential to move further away from true gender equality. If the Productivity Commission is considering paid Parental Leave models that would see women having greater access/rights to paid leave after the birth of a child then we would argue, that they do not have a true understanding of what gender equality means. Indeed, a recommendation for a paid leave system that gives greater or exclusive access/rights to women could potentially do more harm to women's fight for equitable employment opportunities, than having no paid leave system at all.

Men's Confraternity believes that any recommendation made by the Productivity Commission, whatever form it may take, should include the right of men/fathers to claim an equal amount of paid leave, as women are. There are a number of reasons for this which will be outlined in our submission, but in short, these reasons are:

- The importance to children in having the opportunity to bond and spend significant time with their fathers immediately after birth is now a well established fact;
- It is vital for new and experienced mothers alike to have support after the birth of a child and there is no one more capable and willing to provide this support than the child's father;
- Implementing a paid parental leave that only women are entitled to would only serve to re-enforce women into the primary care-giving role and deny fathers that are willing and able to fill this role from doing so;
- Any paid leave system that results in women taking more time off work than men, would only result in further entrenching the differences between men and women, and create greater resistance from employers when considering employing women of child bearing age.

The Right Paid Parental System

The issue of allowing working parents' time off following the birth of a child is not a new one. Indeed it can easily be argued that Australia trails well behind other leading industrialised countries in providing this sort of flexibility to working parents. Sweden led the way back in 1937, when they were the first country to legislate the right for women to take 3 months unpaid maternity leave following the birth of a child. Since then, compensatory pay was included in 1955 and then in 1974 it was extended to both parents and paid for through employers' payroll taxes (Seward, Yeatts & Zottarelli 2002).

This move to include fathers in the paid leave system was as much about liberating men as it was about liberating women. It is our belief that men need to be liberated from their pre-determined gender roles, as much as women do, in order for us to achieve a society that genuinely supports the principles of true gender equality. Men's Confraternity believes that if we as a country want to use this opportunity to introduce a paid leave system that supports mothers and fathers, we will be taking a major step forward in the fight for true gender equality. Sweden's paid parental leave model is still considered the most generous of any country in the world, and offers the most amount of support to fathers. Men's Confraternity therefore believes that the Productivity Commission should be considering the Swedish model as a template for developing our paid leave system here in Australia.

Essentially we have a choice about the type of culture we want a paid leave system to support and nurture in this country. We can support a differentiated gender model were men continue to be the bread winners and the women stay home and care for the house and children (Haas 2003). Men's Confraternity thinks that as a country we are well past this culture in which women had no choice but to stay home, and men had no choice but to seek paid employment. Despite there being a lot of evidence in support of this model in terms of the benefits to children in having a full-time parent at home, the nature of our economy means that single income families are now very rare. Although separate to and beyond the scope of this inquiry, we should also be asking ourselves why we have allowed our economy to develop, such that families have no choice but to have both parents working, because paid parental leave is merely an attempt to make up for the inability for one parent to commit full time to care-giving.

The second culture we can support is the dual role model (Haas 2003). This is the model that would be supported by a paid leave system that only gave entitlement for paid leave to women. Women would therefore be left with no option but to alternate between periods of full-time employment and periods of full-time care-giving. In this model, women would still not be able to achieve parity with men in terms of workplace involvement and opportunities because of the nature of their dual roles, and the continuation of women's perceived responsibility to assume care-giving and house duties because of their greater access to leave (Hook 2006). Women would have less opportunity for advancement and promotion due to their requirement to take extended periods of leave from their employment in comparison to

men. Men's Confraternity believes that this would be a backward step and entirely against the principles of true gender equality.

The third culture we can support and the one supported by Men's Confraternity is the liberated and shared roles model (Haas, 2003). In this model both men and women share the bread winning role and share the care-giving role. Both men and women would have access to paid parental leave allowing them to assume the care-giving role when needed and in proportions that were agreeable to both parents. Employers would then not be faced with disproportional costs and consequences when employing men versus women, because they would both be able to take leave. Obviously there would be a time period involved to change the entrenched culture of women being expected to assume the care-giving role, but this system would support and encourage the modification of the culture and liberate men from their sole bread winning role and allow women's involvement in the workforce to be liberated from the responsibility to always be the parent who takes time off work for care-giving (Hass & Hwang, 1995).

Indeed, the introduction of a paid leave system that is equally available to men and women is a vital first step in changing the entrenched attitudes, both in employers' expectations of men (Hass & Hwang, 1995) and men's own attitude towards assuming care-giving roles. Evidence from Sweden has shown that fathers that take parental leave after the birth of a child are more likely than fathers who don't, to participate in a greater percentage of the child care duties for the rest of the child's life (Seward, Yeatts & Zottarelli 2002). Seward, Yeatts & Zottarelli (2002, p393) state:

"Leave-takers were more likely to perform such tasks as food buying, feeding, cooking, diapering, bathing, and reading. Performing more, and a greater variety of tasks, appears to promote leave-taking fathers' attachment with their children. The longer these fathers took leaves the greater their involvement with their children later with even short leaves facilitating notable increases in fathers' later involvement."

Hook (2006, p654) also makes further supportive statements following her investigation of men's increasing involvement in unpaid house work over time, concluding:

"... results suggest that we cannot assume further increases based solely on the progression of time. Instead, further increases are likely to occur if women's labor force involvement continues to increase, especially if it is coupled with policies that are supportive of men's family work"

We need to ensure that any paid leave system is not introduced in a sexist and discriminatory manner. We have to ensure that it is made equally available to either parent, regardless of gender. It will be a major step backwards for gender equality if men are denied the opportunity to be the primary care-giver for a child after birth. It will be equally disadvantageous for women, if we continue to force women to become the primary care-giver, forcing them to sacrifice their careers, forcing them to take leave simply because sexist

and ignorant people think only women should be entitled to receive paid leave, denying men the opportunity to take on the role. We direct that comment specifically at the Equal Opportunity Commission which has frequently advocated for a paid maternity leave system, specifically intended to exclude men (HREOC 2002, 2005 & 2007). Ms Pru Goward as the Sex Discrimination Commissioner with the HREOC from 2001 to 2007 was responsible for numerous sexist and offensive comments against men / fathers and advocated in several press releases for a 14 week paid maternity leave system, whilst specifically stating her wish to exclude men from having the right to claim the entitlement unless the mother was dead (http://www.hreoc.gov.au/about/media/media_releases/index.html). It is exactly these types of comments from the Sex Discrimination Commissioner no less, which are so counter-productive to the fight for true gender equality here in Australia.

Funding the Right System

In addition to the equitable availability of a paid parental leave system, the Productivity Commission also needs to consider the means of funding such a system. A very important point to consider, is the fact that currently in Australia, only 9% of mothers return to work in less than 3 months following the birth of a child, and 41% have still not returned to work after 12 months (Whitehouse, Baird, Diamond & Hosking 2006). **Picture 1** below outlines the 3 monthly breakdown of time taken for mothers to return to work taken from Whitehouse, Baird, Diamond & Hosking (2006).

Picture 1

Table 12: Timing of return to employment, mothers of children born March 2003-February 2004 who were employed in the 12 months prior to the birth and took leave, Australia^a

	Percent	Cumulative percent
Up to 3months	9	9
3 up to 6 months	16	25
6 up to 9 months	15	40
9 up to 12 months	19	59
12 up to 15 months	11	70
Did not return within 15 months ^a	30	100
<i>N^b</i>		1694

Notes:

- Figures have been weighted to account for non-response bias.
- Base population of mothers employed prior to the birth who took leave, unweighted; excludes cases with missing data on questions relating to leave or date of return to work.

Source: The Parental Leave in Australia Survey (Whitehouse, Baird and Diamond 2005), conducted in conjunction with LSAC Wave 1.5.

Source: Whitehouse, Baird, Diamond & Hosking (2006, p 16)

Of equal importance to the time taken is the reasons given by mothers for the time taken to return to work, also taken from Whitehouse, Baird, Diamond & Hosking (2006), see **Picture 2**. What these two tables in concert indicate is that very few mothers would return to work after any paid leave entitlement was exhausted, and the availability to access a paid leave entitlement would only extend the period of time that a mother would be away from work

following the birth of a child. These two tables have been presented as a way of demonstrating that placing the onus on employers to fund any paid parental leave system would be considered by Men's Confraternity as unfair, not only because of the additional cost it would place on employers, many of which would be small companies that could little afford it in the first place, but also because a paid leave system would likely see 50 percent or less of parents return to work within 12 months of taking leave. Employers would be burdened with an expense that would not be retrievable for what would amount to an extended period of time.

Picture 2

Table 13: Influences on timing of return to work, mothers of children born March 2003-Feb 2004 who were employed in the 12 months prior to the birth, took leave and returned to work within 15 months, Australia^a

Influences on timing of return to work	Timing of return to work (percentages)					Total returning in 15mths
	Up to 3mths	3 up to 6mths	6 up to 9mths	9 up to 12mths	12 up to 15mths	
A Would have taken longer if access to some, or more, paid mat leave	44	57	54	37	38	46
B Would have taken longer if access to some or more unpaid mat leave	4	2	2	14	12	7
C Returned earlier than liked because worried about job	15	12	8	5	8	9
D Returned earlier than liked because needed the money	45	57	57	35	29	45
Any of A, B, C or D	65	73	72	58	54	65
N ^b	150	272	255	332	182	1191

Notes:

- Percentages have been weighted to account for non-response bias
- Base population 'mothers employed prior to the birth who took leave and returned to work within 15 months', unweighted; excludes cases with missing data on relevant questions.

Source: The Parental Leave in Australia Survey (Whitehouse, Baird and Diamond 2005), conducted in conjunction with LSAC Wave 1.5.

Source: Whitehouse, Baird, Diamond & Hosking (2006, p 16)

Another significant issues arising from the period of time that a parent takes to return to work is the number of parents who would potentially take the paid leave entitlement, after 6 or 12 months employment with a company and then choose not to return to work at all.

Whitehouse, Baird, Diamond & Hosking (2006) again provide statistics on this issue indicating that, in addition to the 30 percent of mothers who did not return to work within 15 months of taking leave, of those that did, a further 11 percent changed employers or sort income from self-employment. This indicates that approximately 40 percent of mothers do not return to work with the same employer they had prior to taking leave within 15 months, with an uncertain percentage of those not returning to work with the same employer at all. Given this, there is a potential legal minefield that could be exposed if employers were required to fund a paid parental leave system which they would derive no benefit from when an employee chose not to return to work afterwards. In these circumstances would an employee be obliged to repay the monies and what legal obligations would be placed upon an employee should they utilise an employer funded paid leave system?

Picture 3

Table 14: Changes in employer or occupation after the birth of a child, mothers of children born March 2003-February 2004 who were employed in the 12 months prior to the birth, took leave and returned to work within 15 months, Australia^a

	Percent
With the same employer and in the same job as before birth of child	66
With the same employer but in a different job	17
With a different employer but in same occupation	4
With a different employer in a different occupation	5
Continued in self-employment	7
Changed to self-employment	2
Total %	100
<i>N^b</i>	1198

Notes:

- a. Figures have been weighted to account for non-response bias.
- b. Base population 'mothers employed prior to the birth who took leave and returned within 15 months', unweighted; excludes cases with missing data on relevant questions.

Source: The Parental Leave in Australia Survey (Whitehouse, Baird and Diamond 2005), conducted in conjunction with LSAC Wave 1.5.

Source: Whitehouse, Baird, Diamond & Hosking (2006, p 17)

Men's Confraternity therefore believes that a paid parental leave system should be federally funded. Removing the onus from employers to fund a paid parental leave system alleviates the inherent problems that could occur, as outlined above. Additionally, it would also remove the inherent cost factor that would be considered by employers when employing parents and particularly females of child-bearing age.

Conclusion

As a nation, we should be considering bearing the cost of supporting young families and the next generation of Australian citizens. However, Men's Confraternity believes that it needs to be done in a way that ensures fairness and equality of access. We could support a model that re-enforces the current gender stereotypes and essentially blackmailing women into being the primary care-giver in all instances, or we can support a system that allows parents to negotiate and determine for themselves, who will take leave, for how long and in what percentage. It is this second model that Men's confraternity supports and hopes that the Productivity Commission is able to see past the rhetoric and self-interested lobbying to ensure that any paid leave system is truly supportive of gender equality.

Recommendations

1. Men's Confraternity believes that any paid leave system should be gender neutral, meaning that any paid leave entitlement should be able to be claimed by either parent. This can be achieved in a number of ways:
 - Parents could elect for the mother to claim the entire entitlement.
 - Parents could elect for the father to claim the entire entitlement.
 - Parents could elect to claim a percentage of the entitlement each. In this case the mother could claim a percentage of the entitlement and then possibly return to work and have the father then take leave from work and claim the remaining percentage of the entitlement.
 - Parents could elect to claim a percentage of the entitlement each concurrently. This would mean that both parents could take leave after the birth of a child, for a period of one half of the total entitlement period, resulting in the total entitlement being claimed.
 - Parents could elect to claim any percentage of the paid leave entitlement whether separately or concurrently until the total entitlement had been claimed.
2. Men's Confraternity believes that any paid leave system should be federally funded and should not be imposed on businesses. Small businesses would suffer immensely if they were required to fund extended leave for parents at the same time as paying for replacement staff.

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