

On Paternity Leaves and Parental Leaves – The Dilemma over “Daddy Days”

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Filipino fathers generally refrain from undertaking childcare functions, an attitude that can be traced from the traditional notion that men are the economic providers while women are the nurturers of the family. In 1996, a breakthrough legislation was passed by the Philippine Legislature providing for seven days of paid paternity leave. A good beginning, but certainly not sufficient if the intention is really for the father and mother to share in the joys and pains of parenthood. Thus, Filipino women are left with no choice but to be mothers first and workers second. The article will look at experiences in the United States, Canada, France, and Sweden and conclude that a shared system of paid parental leave might be a promising solution to encourage Filipino men to perform more caring functions at home and to allow Filipino women greater participation in the world of work.

Keywords: paternity leave, parental leave, gender stereotypes, gender equity, balancing work-family responsibilities

Men who change diapers change the world. This simple but very meaningful statement was embroidered on a cloth diaper given by my sister to my husband as a congratulatory gift when our daughter was born last spring. But while such gift exudes so much significance in this day and age, such may not have been understood in a similar manner had it been given to my father and mother as a wedding present about four decades ago when a great majority of Filipino men have yet to awaken to the call for equal parenting responsibilities with their wives.

For the longest time, Philippine society had assumed that childcare is purely a mother’s obligation. We have been trained since the very beginning that the father is the pillar, while the

mother is the light of the home. By pillar, we clearly mean the stereotype of fathers as economic providers. By light, we mean the traditional role of mothers as nurturers. Male dominance of the public world of work and female devotion to the private realm of the home were the norms. After all, the ideology of women’s domesticity is as old as biblical times.

For instance, in the Book of Proverbs, the truly capable woman who is described as far more precious than pearls keeps good watch over her household while her husband takes his seat among the elders of the land. She skillfully works with strong and eager hands to provide food and make fine quilts and never lets her lamp go out at night. She tends the field and sells weaved merchandise.

She is helpful to the needy and keeps a righteous fear of the Lord all of which earn for her the admiration of her children and her husband.

The foregoing biblical account is a clear illustration of the stereotyped roles that men and women have been destined to perform since time immemorial. With a predominantly Catholic population owing to almost four centuries of Spanish rule, religious influence in Philippine culture and traditions cannot be gainsaid.

In 1996, a breakthrough legislation was passed in the Philippines—the Paternity Leave Act granting married male employees the right to take seven days of leave with full pay to lend support to their wives during their period of recovery immediately after childbirth and/or in nursing their newborn child. This was certainly a good start although it is obvious that the period of seven days is inadequate if the intention is really for the father and mother to share in the joys and pains of parenthood.

Moreover, the limitation of coverage to married men makes the law useless for couples in intimate relationships that have decided not to contract marriage for various reasons, none of which is within the province of any legislature to condemn. This limitation to legitimately married fathers makes an unfair suggestion that women who get pregnant out of wedlock do not deserve to be helped by their partners when their child is born, a misogynist view that such women are inevitably unchaste and must be punished. It likewise seems to suggest that illegitimate children do not deserve to be taken care by their fathers who are encouraged by the law towards irresponsibility, again, a horrible policy that has no place in a just and humane society.

In any event, the law could have been, at the very least, an opening wedge that can gradually lead to greater participation of men in childcare. Sadly, however, after more than 16 years, Filipino men are still hovering around the starting point and have failed to build on this remarkable beginning. When working wives need help in their childcare duties, they turn to other women within the family (mothers, aunts, sisters, cousins, or older

daughters) or, even outside the family (female neighbors and friends, or hired nannies) instead of soliciting the assistance of their husbands, sometimes to keep the peace, oftentimes simply because such is the societal norm (Medina, 2001).

No wonder, the labor force participation of Filipino women had always lagged behind men. The gap stands at 28% as of the latest available statistics for the year 2012 (National Statistics Office, 2012). There is no other explanation except that women have always been tied down at home with childcare and other domestic duties. Among those who are struggling to juggle work and family duties, only a small percentage can be said to have serious career orientation because a woman's work is often considered important only when it is needed to augment her husband's pay and such is dispensed with immediately, even happily, when her husband is earning enough to support the family (Medina, 2001). Women are considered transient workers who should forego their employment while their children are in their tender years if they do not want to be branded as negligent mothers. Regrettably, this dampens the drive for promotion; in fact, some women deliberately shy away from it in order not to be burdened with additional responsibilities that will compete with the time that they can spend at home. Many women also seek part-time jobs on purpose. Consequently, employers tend to value them less and refrain from making investments in their training, if not discriminate outright against their hiring. Even highly educated female professionals such as lawyers and doctors deliberately step on the brakes in their respective careers when they feel that the time has come to raise children. Again, this attitude finds its origin in the traditional notion of Filipino families where women are highly exalted for the nurturance and affection that they shower their husbands and children and anything that hinders them from doing such is an evil that must be eliminated.

Quite interestingly, the Grant Thornton International Business Report (2012) that ranked the Philippines among the top countries in the

world where women hold senior management positions in private businesses seems to give a misleading picture. In its 2012 Report, the Philippines tied at second place with Botswana and Thailand with 39% while Russia was ranked first with 46% proportion of female to male business executives. There is not much reason to celebrate, however, because according to the Report itself, the outstanding performance of the Philippines, Botswana, and Thailand can be attributed to the “tendency for families to live with or near parents and grandparents [that] provides in-built childcare infrastructure, allowing mothers to go out and work” (Grant Thornton International Business Report, 2012, p. 4). Moreover, a huge chunk of these women in senior management positions in the Philippines are concentrated in human resource management positions, seemingly an extension of what they actually do at home. The Report also concluded that there is no clear correlation between female economic activity rates and the proportion of women in senior management positions “suggesting a much deeper blend of cultural issues” (Grant Thornton International Business Report, 2012, p. 7). Quite remarkably, the Philippines ranked low in female economic activity rates despite having a good number of women in senior management positions. The gender pay gap in the Philippines still stands at 16.8% in 2008. (Tijdens & Klaveren, 2012).

A closer look at the report of Punongbayan & Araullo, the local firm that conducted the study in the Philippines for Grant Thornton, is even more revealing—64% of the women who hold key senior management positions are in finance (Dumlao, 2012). Again, an extension of the role that Filipino women perform at home (Palma, 1968). History and tradition tell us that the family purse is often entrusted by husbands to their wives presumably because of the former’s confidence in the latter’s astute character. A romantic way of looking at this will applaud at the perception of prudence ascribed to women. However, one should not forget that the origin of this practice is the same dichotomy of traditional roles of men as

providers for the family and of women as keepers of the household.

Sadly, while many Filipino women are now holding senior management positions, they are still predominantly found in support departments like human resource management and finance where they perform functions that closely resemble their domestic duties and do not customarily exercise line authority.

What have we been missing?

On the one end of the spectrum, we can look at the example of the United States where paternity leave is unheard of but a more flexible system of parental leave is in place. Fathers, as well as mothers, can each avail of up to 12 weeks of leave under the Family and Medical Leave Act of 1993. The American Supreme Court declared in the case of *Nevada v. Hibbs* (2003), that setting a minimum standard of family leave for all eligible employees irrespective of gender attacks the age-old assumption that only women are responsible for family caregiving, thereby reducing employers’ incentives to engage in discrimination by basing their hiring and promotion decisions on gender stereotypes. However, the leave is unpaid and this has been the subject of endless criticisms both within the United States and on the international front. To date, two states—California and New Jersey—have provided wage replacement mechanism through their respective temporary disability insurance systems. A third state, Washington, is set to implement a similar wage replacement system in 2015.

On the other end of the spectrum, we see more generous countries in Western Europe such as France. Under the French Labor Code, fathers are entitled to paternity leave of 11 consecutive days, or 18 days in case of multiple births. Employees on paternity leave are eligible for daily benefit payment under the French Social Security Code up to a maximum of €80.04 in 2012 depending on the worker’s average daily wage for the preceding three-month period. At the current exchange rate of P54.75 for every euro, this would amount to approximately P4,380.00.

In addition to paternity leave, French fathers are entitled to either parental leave, or the option to work part-time, for a minimum of 16 hours per week. The parental leave is initially granted for a period of one year but can be extended twice until the child's third birthday. It may be further extended up to one year in the event of sickness, accident, or severe handicap of the child.

Although such leave is unpaid, the father availing of parental leave is entitled to receive the “supplement for free choice of working time”, a non means-tested allowance specifically intended to allow a parent to stop working or to work part-time in order to personally look after a child. This is paid for a period of six months for a first child and up to the third birthday for a second child and any additional children. In 2012, the full rate supplement under the French Social Security Code is €568.85 in case the parent completely ceased from working, €432.56 if the parent worked part-time between 50% to 80% of normal working hours, and €327.10 if the parent worked part time equivalent to 50% of normal working hours.

There are other additional leave privileges for parents under the French Labor Code. For instance, parents are allowed to take a leave of up to three days per year in case a child under 16 years of age suffers from an illness or accident. This is extended to five days if the child is under one year of age or if the employee has three or more children under the age of 16. If the illness or accident has resulted in serious handicap upon the child and there is a need for the sustained presence of a caregiving parent, a parental presence leave for a maximum period of 310 working days is allowed. On the other hand, an employee, who deems it more appropriate to resign from employment to raise a child, may be reinstated upon request and shall enjoy priority in re-employment in the year following the separation from service. Upon rehiring, he or she shall be entitled to re-training whenever necessary and shall resume enjoyment of all benefits and advantages earned at the time of separation. Finally, workers are entitled to emergency family

leave for various purposes up to a maximum of nine working days per year. Such leave can be used for attending family events. Specifically, a worker may take four days off for his or her wedding celebration, three days for the birth or adoption of a child, two days for the death of a spouse or child, and one day for a child's wedding or the death of a parent.

We can say that somewhere in the middle lie countries like Canada. As in the case of the United States, Canada does not provide fathers with paternity leave except in the province of Quebec, which stands out among all Canadian provinces as it provides five weeks of paternity leave with 70% wage replacement. Nonetheless, Canada has a more generous system of parental leave at 37 weeks that parents can allocate between themselves according to their wishes. Thirty-five weeks of this parental leave are eligible for unemployment insurance payment (Employment Insurance Act of 1996) pegged at 55% of previous earnings except, again, in the province of Quebec where parental leave is paid more generously at 70% for the first seven weeks and 55% for 25 weeks (Cotter, 2010). The Canadian Supreme Court aptly said in the landmark case of *Brooks v. Canada Safeway, Ltd.* (1989) that it is unfair to impose all the costs of pregnancy only upon one half of the population. Those who bear children and benefit society as a whole thereby should not be economically or socially disadvantaged.

Perhaps the best model available, however, is that of Sweden where a robust commitment to equal parenthood was made possible by a paid parental leave program which is not only the first of its kind when introduced in 1974, but is likewise the most financially generous and flexible in the whole world (Haas, 1992).

Under the present provisions of the Swedish Parental Leave Act (1962), parents, regardless of gender, are entitled to full parental leave for childcare purposes for a period of 18 months from the birth of a child. Instead of taking full leaves, parents may also opt for part-time work equivalent to 75% of normal working hours for the care of a child below eight years of age or which

may be older but has not yet concluded first year of school. A parent is likewise entitled to leave to care for a child in circumstances where the ordinary care provider has become unavailable due to sickness. Complementarily, under the National Insurance Act, parents availing of the above-enumerated leaves are entitled to salary replacement for a total period of 480 calendar days to be allocated equally between the father and the mother of the child. Either parent may opt to forego up to 180 days of his or her 240-day allocation in favor of the other parent but the remaining 60 days may not be transferred and will be forfeited if not used. Fathers are entitled to 10 extra days of paid paternity leave and 20 days in case of multiple births. At any time parents desire to receive parental benefit in part and not in full, that is, three quarters, one-half, one-quarter, or one-eighth, their normal working hours shall have a corresponding reduction in the same proportion. For the year 2012, the parental benefit is equivalent to 80% of usual earnings, up to a maximum of 935 SEK per day (at the current rate of P6.30 for every Swedish krona, this would approximate P5,890.00) for the first 390 days and 180 SEK per day (P1,134.00) for the remaining 90 days. Families with multiple births are entitled to additional 90 days at 80% of earnings and 90 days at the flat rate of 180 SEK per day. For a third child and more, there is an additional 180 days at 80% of earnings.

Immediately after the parental leave program was introduced in 1974, the Swedish government launched a comprehensive campaign to promote awareness and encourage fathers to participate in the program. Promotional posters and brochures of men holding cute babies were extensively circulated, videos of similar theme were broadcast over national television, and bumper stickers saying “Daddy come home” were widely distributed. Unions were encouraged to participate in the advertising effort as government subsidized their publication and distribution of magazines and informational pamphlets to their members. Some of the popular by-lines used were “Give Dad a better start in life”, “The world’s

best Papa takes parental leave”, “100% Father”, “Dare to be a Dad”, and “Up to now, no man has regretted taking parental leave” (Haas, 1992).

As of July 2008, the Swedish government introduced the “gender equality bonus” to stimulate availment of parental leave on a more equal basis between parents. The bonus used to take the form of a tax credit from its inception in 2008 up to 2011, paid the year after the parental leave is availed. Effective 2012, the bonus is now being paid automatically with the parental leave benefits in the form of tax-free income for a maximum amount of 13,500 SEK or 50 SEK per parent per day when they equally share 135 days each of the 270 days remaining after the 60 non-transferable days are set aside from the 390 days of parental leave payable at 80% of usual earnings (Orange, 2011).

The distinctive feature of the Swedish approach is its goal of successfully combining employment and parenthood not only for female workers but for male workers as well. The goal is to liberate men from gender stereotypes just as much as women should be. The model is one of a “dual-earner, dual-career family” based on a principle of humanism—both men and women have one main role, that of being human beings—a role which includes childcare (Haas, 1992). Thus, programs take one step farther from mere gender-neutral entitlements to positive incentives that encourage men to take on a more active parenting role, as in the case of designating exclusive “daddy days” within the parental leave system, which was supported not only by an extensive information campaign but also by an innovative “gender equality bonus”.

The government likewise provided a whole range of welfare benefits that support families, making it not only easier for women to engage in work, it also reduced the economic pressure on men, thereby encouraging them to engage more in caregiving functions. Aptly called “cradle-to-grave” benefits include family support (child allowances, day care, pensions, subsidized housing), employment-related rights (job training, unemployment compensation, sickness

leave, disability payments, and childcare), fully subsidized higher education and medical care, special leave entitlements for continuing education, and partial retirement for older workers (Haas, 1992).

The inevitable result is not only that mothers have greater opportunity to work; they actually do engage in work that brings greater economic stability to their families and greater sense of personal fulfillment to themselves. The gap in labor force participation between Swedish men and women stands at 8.1% compared to the Philippines' 28%. The figure is 12.4% in the United States, 9.5% in Canada, and 10.2% in France (Bureau of Labor Statistics, 2012).

One reason why equality between the sexes had been easier to achieve for Swedes is their national commitment to a universal welfare model. Sweden maintains the world's most comprehensive and well-funded social welfare program designed not only to alleviate the plight of impoverished segments of society but is meant to include the entire Swedish population regardless of individual financial capabilities. The right to receive services and benefits find basis on the rights of citizenship and are not considered government dole-outs reserved only for those in need (Stoiber, 1989). With an attitude of egalitarianism readily accepted across social classes, it was not very difficult for a similar stance across gender groups to flourish.

Another offshoot of the universal welfare system in Sweden is the reduction of pressure on mothers to disengage themselves from employment for extended periods of time to take care of their toddlers because quality childcare is readily available and affordable for children as young as 12 months even before their job-protected, paid parental leave is depleted. Since childcare centers are staffed by trained professionals working under a standard curriculum closely monitored by municipal governments, mothers who entrust their children to these facilities are neither consumed by feelings of guilt for not taking care of their children themselves nor haunted by unfounded fear that their children are left in an unhealthy environment. Instead, there is a strong sense of

confidence that children are not only properly cared for but are likewise adequately prepared for the next stage of life, primary education. A dual policy of “*educare*” resulted in the readiness of mothers to resume employment at a much earlier time.

Indeed, “*educare*” works with dual objectives—education and care. The first aims to stimulate children's development through pedagogical interventions. The second is designed to help parents combine family responsibilities with gainful employment. Integral in the first objective is the intention to equalize the conditions under which children from different groups in society are raised. The ambition was to make childcare a meeting place for children with different ethnical, cultural, and social backgrounds, which has been proven to work best under a policy of universality (Szebehely, 2005).

Still related to this offshoot of the universal welfare system in Sweden is the rarity of women willing to enter into private childcare arrangements. Since vocational training is generally provided by the government and access to higher education is not restricted to the affluent class, women acquire the skills and knowledge necessary to secure gainful employment. Because of this, the government's target of full employment had been an attainable goal resulting in the absence of an underclass of female servants who are willing to do domestic work for more affluent women even if the latter can afford to hire such services (Haas, 1992). When there are no other helpers to rely on, women tend to be more assertive in dividing childcare and other household duties with their husbands.

Finally, there is evidence that suggests that religious sentiments do not have a strong influence on the values and ethical ideals of the Swedish people. Fundamentalist religious teachings that support traditional roles of women as nurturing mothers are not deeply rooted among the majority of the people who are members of the state-supported Lutheran Church but who are hardly devout followers as complacency and lack of spiritual intensity resulted from the monopoly.

Secularization over the course of the 18th and 19th centuries was relatively peaceful, paving the way for the assumption by the state of the traditional responsibilities of the Church on family well-being and education early on, thereby further eroding the influence of the Church on societal values (Morgan, 2006).

Thus, contraception and abortion are not controversial issues in Sweden. Sex education has been an integral part of the school curriculum as early as 1956. Girls aged 15 and above can ask for contraceptives from the school nurse openly and without need for parental consent. Counseling on sexual matters is free of charge. Moreover, abortion is a matter of right that a woman can readily avail within the first 18 weeks of pregnancy without need for any justification. In sum, most children born within marriage, and even those born out of wedlock, are wanted children (Kaplan, 1992). Such cultural backdrop allows women a great deal of autonomy over their reproductive capacities and, consequently, their productive capacities as well.

While the universal welfare system in Sweden appears enviable and a recommendation to transport the same in the Philippine setting may be very tempting to make, there are a number of reasons why using it as a pattern for the Philippines might pose some serious difficulties.

The first reason is economic. The present public education system which is struggling to implement its new K+12 program amidst chronic problems of shortage in classrooms, teachers, books, and other educational materials, will further need a huge financial outlay in order to seriously accommodate pre-schoolers. The barangay day care centers now in place under the Barangay-Level Total Development and Protection of Children Act usually cater to a handful of children from ages three to five for three- or four-hour sessions each day due to budgetary constraints. Likewise saddled with problems of poor facilities, scant teaching materials and inadequately trained personnel, the possibility for these day care centers to eventually accommodate younger toddlers and infants is still farfetched. In a country where

people wallowing in poverty greatly outnumber those who are gainfully employed and able to contribute in the provision of public services through their taxes, it is difficult to imagine how a comprehensive welfare system like that in Sweden can be made possible. Moreover, the few who belong to the affluent class and yield both economic and political power have not and are not likely to support genuine reforms for redistribution of income and wealth to uplift the status of the poorest of the poor. Haunted by an unimaginable volume of foreign indebtedness accumulated through decades of outrageously mismanaged government finances burdened further by huge budgetary deficits year after year; a reliable and affordable universal childcare system in the Philippines is still a distant dream.

The second, and equally daunting reason, is cultural. Filipinos are known for having closely-knit extended families that provide a ready pool of helping hands for working women. When mothers leave for work, their childcare duties are rarely assumed by fathers because there are grandmothers or aunts who often remain in the same extended household and who are willing to lend a hand. The traditional caregiving duties of women are allocated among the female members of the extended household, including daughters who are already old enough to care for younger siblings, which contributes to men's unwillingness to share in the burden. Those who belong to the middle and upper classes can afford to hire nannies and domestic servants and would gladly do so if only to avoid tension with their husbands. We should not lose sight of the fact that many of these women also have children of their own whom they leave behind in the care of other women, leading us back to square one.

In any event, working mothers have to deal with the stigma of selfishness which society unfairly attaches to women who, because of eager pursuit of their careers, are perceived to be lacking in concern for their children's well-being. Meantime, Filipino men remain troubled by the probability of being branded as henpecked husbands as soon as neighbors start to notice

their assumption of childcare and other domestic duties. We have even coined the term “under the *saya*” referring to a husband who takes on household responsibilities, an undertaking still widely considered shameful for many Filipino men consumed by machismo ideals.

The third reason appears to be religion. Filipinos are predominantly Catholic and the conservative position of the Church on matters like contraception and abortion makes it difficult for the government to implement programs that will promote women’s control over their own bodies. Unlike the liberal thoughts that prevail in Swedish society, Filipino women are restrained from expressing their sexuality and are held up to high standards of chastity. To this very day, abortion is a crime under Philippine law punishable by imprisonment while access to contraceptives and family planning resources is very limited. Statutory attempts to address this problem have not been wanting but they remain buried in never-ending debate in the legislature where politicians eyeing re-election make it a point to please the religious in the hope that such will translate to favorable votes. Fortunately, after a very long wait, the Responsible Parenthood and Reproductive Health Act recently saw the light of day. Meanwhile, Filipino families still have an average size of six, far from the fertility problem that once saddled France and Sweden.

Despite all the foregoing, there is no reason why the Philippines cannot look up to the Swedish example, generally considered as gold standard in gender equity the world over. While it is true that our impoverished country cannot approximate the economic standards in Sweden, and that we have come from a very different cultural background shaped by centuries of religious influence, we can, at the very least, share the same aspiration for genuine gender equality, and, more importantly, be moved by it. After all, there appears to be at least one Swedish program that holds promise for the Filipinos—the creation of a parental leave system that is equally divided between fathers and mothers. We already have a social security

system in place that only needs an upgrade to accommodate the additional benefits that parents can avail. It had been done in California and New Jersey, in Canada, and in France. It is certainly worth trying in the Philippines. Whoever said Filipino men do not want to be caring fathers, anyway? I believe that all they need is a more understanding and supportive society and I offer as proof the countless hours that my husband lovingly devotes to our little sweetheart while I am buried in my research work, including this very piece.

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