House Select Committee on Economic Disparity and Fairness in Growth

"*Growing our Economy by Investing in Families: How Supporting Family Caregiving Expands Economic Opportunity and Benefits All Americans*"

Written Testimony of Melissa Boteach Vice President, Income Security and Child Care/Early Learning
National Women's Law Center

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Good morning Chair Himes, Ranking Member Steil, and other distinguished members of the House Select Committee on Economic Disparity and Fairness in Growth.

My name is Melissa Boteach, and I am the Vice President of Income Security and Child Care/Early Learning at the National Women's Law Center (NWLC). At the Law Center, we fight for gender justice—in the courts, in public policy, and in our society—working across the issues that are central to the lives of women and girls. We use the law in all its forms to change culture and drive solutions to the gender inequity that shapes our society and to break down the barriers that harm all of us—especially women of color, LGBTQ people, and women and families with low incomes.

This hearing could not be timelier. Fifty years ago this week, President Nixon vetoed the Comprehensive Child Development Act, bipartisan legislation that would have established universal child care in the United States. It is no accident that we are having a hearing on the crisis of women's labor force participation and the importance of investing in caregiving half a century later. The reverberations of that veto run through the lives of generations of women and families.

Today, we face another inflection point. As Congress considers historic investments in child care, pre-kindergarten, paid leave, and home- and community-based services as part of the Build Back Better Act, you have an opportunity to make a different choice—one that will have positive ripple effects for millions of families and our economy overall for generations to come.

I am grateful for the opportunity to testify before you today on the state of women's labor force participation, why women are getting pushed out of the labor market, and why building a more equitable care infrastructure as part of the Build Back Better investment is a critical part of the solution.

Women's labor force participation is at a historic low

Just a month before the pandemic hit, the headlines across the nation proclaimed that, for only the second time in our nation's history, women comprised the majority of workers on payroll. It was February 2020, and female labor force participation had peaked at 59.2%—the highest level in history.

The celebration was short-lived. The following month, the pandemic began to lay bare and exacerbate gender and racial inequities that quickly pushed millions of women out of the labor force and millions more into poverty. In November 2021, women's labor force participation was 57.5%, nearly 2 percentage points lower than it was in February 2020. Before the pandemic started, women's labor force participation rate had not been as low as 57.5% since 1989, more than a generation ago.[1]

[1] Jasmine Tucker, "Black Women's Unemployment Falls Sharply to 5% in November" (NWLC, Dec. 2021), https://nwlc.org/resources/black-womens-unemployment-falls-sharply-to-5-in-november/.

There are over 1.4 million fewer women in the labor force now than there were in February 2020 compared to 921,000 fewer men.[2] That means women make up more than six in ten (61.0%) labor force leavers since February 2020.[3] In addition, many workers—overwhelmingly women—have needed to cut back their hours in order to manage care responsibilities. Studies of parents with young children during the pandemic affirm that mothers were four to five times more likely to have reduced their work hours or adjusted their schedules because of caregiving than fathers.[4]

The crisis is not hitting all women equally. Women's labor force participation rates vary by race and ethnicity, with Latinas and Black women experiencing larger labor force participation drops than white women. Between February 2020 and November 2021, Latinas' labor force participation declined by 3.2 percentage points (from 61.9% to 58.7%),[5] Black women's labor force participation declined by 3.6 percentage points (from 63.9% to 60.3%),[6] and white women's labor force participation declined by 1.7 percentage points (from 58.2% to 56.5%).[7]

While the overall employment rate for most demographics has tenuously begun to recover, that good news risks obscuring the reality faced by working women today. If a woman leaves the labor force because she cannot find adequate or affordable child care or home care, she is no longer counted in the overall employment rate and her departure from the workforce lowers the official unemployment rate. If the over 1.4 million women ages 20 and over who have left the labor force since February 2020 were counted as unemployed workers in October 2021, the overall women's unemployment rate would have been 5.8% in November 2021 instead of the reported 4.0%. Similarly, if the 921,000 fewer men ages 20

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[2] NWLC calculations using BLS, "Employment Status of the Civilian Population by Sex and Age," Table A-1 in *NovemberOctober 2021 Employment Situation Summary* (Washington, DC: December 3November 5, 2021), https://www.bls.gov/news.release/empsit.t01.htm. Historical data available at https://www.bls.gov/webapps/legacy/cpsatab1.htm. Figures are seasonally adjusted and capture women and men ages 20 and over.

[3] NWLC calculations using BLS, "Employment Status of the Civilian Population by Sex and Age," Table A-1 in *November 2021 Employment Situation Summary* (Washington, DC: December 3, 2021), https://www.bls.gov/news.release/empsit.t01.htm. Historical data available at https://www.bls.gov/webapps/legacy/cpsatab1.htm. Figures are seasonally adjusted and capture women and men ages 20 and over.

[4] Julie Kashen, Sarah Jane Glynn, & Amanda Novello, *How COVID-19 Sent Women's Workforce Progress Backward*, Ctr. for Am. Progress (Oct. 2020), https://www.americanprogress.org/issues/women/reports/2020/10/30/492582/covid-19-sent-womens-workforce-progress-backward. *See also, e.g.,* Misty L. Heggeness & Jason M. Fields*, Working Moms Bear Brunt of Home Schooling While Working During COVID-19, U.S. Census Bureau (Aug. 2020),* https://www.census.gov/library/stories/2020/08/parents-juggle-work-and-child-care-during-pandemic.html.

[5] NWLC calculations using BLS, "Employment status of the Hispanic or Latino population by sex and age," Table A-3 in *November 2021 Employment Situation Summary* (Washington, DC: December 3, 2021), https://www.bls.gov/news.release/empsit.t03.htm. Historical data available at https://www.bls.gov/webapps/legacy/cpsatab2.htm. Figure is seasonally adjusted.

[6] NWLC calculations using BLS, "Employment Status of the Civilian Population by Race, Sex, and Age," Table A-2 in *November 2021 Employment Situation Summary*. Historical data available at https://www.bls.gov/webapps/legacy/cpsatab2.htm. Figures are seasonally adjusted.

[7] NWLC calculations using BLS, "Employment Status of the Civilian Population by Race, Sex, and Age," Table A-2 in *November 2021 Employment Situation Summary*. Historical data available at https://www.bls.gov/webapps/legacy/cpsatab2.htm. Figures are seasonally adjusted.

and over who have left the labor force since February 2020 were counted as unemployed, men's unemployment rate would have been 5.0% last month instead of the reported 4.0%.[8]

Unemployment rates for Black women (5.0%) and Latinas (5.3%) remain well above those for white men (3.4%)[9] and while they are well below their double-digit peaks of 2020, high rates of labor force exits among these two groups means their unemployment rates look much better than they otherwise would if women had not left the labor force entirely. Since February 2020, 434,000 Black women have left the labor force, along with 256,000 Latinas. If these women were counted as unemployed, the unemployment rate for Black women in November 2021 would have been 8.8% instead of 5.0%, and Latinas' unemployment rate would have been 7.2% instead of 5.3%.[10] These disparities will persist absent policies to center women of color - including investments in our nation's caregiving infrastructure.

Why is this happening? Our nation's lack of care infrastructure is an important factor.

Even before the pandemic, the lack of a robust care infrastructure in the United States was thwarting our economic potential and keeping women out of the labor force. Over half of families lived in a child care desert, or a neighborhood without sufficient supply of licensed care.[11] When families *could* find a slot, they struggled to afford the cost, with infant care in a center costing more than in-state college tuition in more than half of states.[12] Meanwhile, early educators earned poverty wages for doing the essential work of caring for and educating our children, with over half of the workforce relying on some form of public assistance.[13] Treasury Secretary Janet Yellen recently summed up the dynamic well: "Child care is a textbook example of a broken market."[14]

It should come as no surprise then, that when COVID-19 hit, the house of cards came tumbling down. The child care sector—which had always operated on razor-thin margins—had little ability to weather a public health and economic crisis. Child care centers shuttered and schools closed. Meanwhile, families with caregiving responsibilities for relatives with disabilities or aging parents were thrown into havoc, as COVID-19 ravaged congregate care settings, and many home care and domestic workers were laid off as

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8 Jasmine Tucker, "Black Women's Unemployment Falls Sharply to 5% in November" (NWLC, Dec. 2021), https://nwlc.org/resources/black-womens-unemployment-falls-sharply-to-5-in-november/

9 Jasmine Tucker, "Black Women's Unemployment Falls Sharply to 5% in November" (NWLC, Dec. 2021), https://nwlc.org/resources/black-womens-unemployment-falls-sharply-to-5-in-november/

10 Jasmine Tucker, "Black Women's Unemployment Falls Sharply to 5% in November" (NWLC, Dec. 2021), https://nwlc.org/resources/black-womens-unemployment-falls-sharply-to-5-in-november/

11 Rasheed Malik, et al., Center for American Progress, America's Child Care Deserts in 2018 (Dec. 2018), https://www.americanprogress.org/issues/early-childhood/reports/2018/12/06/461643/americas-child-care deserts-2018/

12 Child Care Aware of America, The US and the High Price of Child Care: An Examination of a Broken System (2019), https://www.childcareaware.org/our-issues/research/the-us-and-the-high-price-of-child-care-2019/.

13 Lea J.E. Austin, et al., Racial Wage Gaps in Early Education Employment, Center for the Study of Child Care Employment, (Dec. 2019), https://cscce.berkeley.edu/racial-wage-gaps-in-early-education-employment/.

14 Remarks by Secretary of the Treasury Janet L. Yellen on Shortages in the Child Care System, September 2021, https://home.treasury.gov/news/press-releases/jy0355

the economy shut down. But while a pandemic raged outside, children still needed care and education, and our parents and relatives with disabilities still needed services and caregiving support. That work disproportionately fell to women, and especially mothers, in and out of the labor force.

Many mothers have been unable to manage caregiving for children and other family members, remote learning, and other responsibilities on top of paid work. These tremendous pressures, combined with massive job losses, have pushed many mothers out of the labor force entirely. The average unemployment rate for mothers in 2020 was 7.5%, more than double their unemployment rate of 3.5% in 2019. For many mothers of color, unemployment rates were even higher: In 2020, 8.1% of Asian mothers, 10.3% of Black mothers, and 10.4% of Latina mothers were unemployed. And between 2019 and 2020, 575,000 mothers left the labor force entirely.[15]

The data shows women are leaving the labor force at key points when families are making tough decisions about whether to send children to in-person learning in K-12 schools. The Bureau of Labor Statistics has been collecting data on women's labor force participation since 1948. Outside of the massive labor force dropouts women experienced in March and April 2020 when the pandemic hit, the month with the largest labor force dropout on record occurred in September 2020, when 863,000 women left the labor force--four times the number of men. Another 275,000 women left in January 2021, and another 309,000 women left in September 2021. In comparison, just 168,000 men left the labor force in September 2020, 71,000 men left in January 2021, and 182,000 men entered the labor force in September 2021.[16] This public health crisis and its impact on in-person learning is clearly disproportionately affecting women.

A shrinking care workforce

Meanwhile, the care workforce is a fraction of its pre-pandemic size. For example, there are currently over 108,000 fewer child care workers in the economy now than there were in February 2020, a loss of over 1 in 10 workers since before the pandemic started. Similarly, there are nearly 424,000 fewer nursing and residential care facility workforce now than there were in February 2020, which means that workforce is down 1 in 8 workers since before the pandemic started.[17]

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[15] Claire Ewing-Nelson, "Even Before This Disastrous Year for Mothers, They Were Still Only Paid 75 Cents for Every Dollar Paid to Fathers," (NWLC, May 2021), https://nwlc.org/resources/wp-content-uploads-2020-05-moms-epd-2020-v2-pdf/.

[16] NWLC calculations using BLS, "Employment Status of the Civilian Population by Sex and Age," Table A-1 in *November 2021 Employment Situation Summary* (Washington, DC: December 3, 2021), https://www.bls.gov/news.release/empsit.t01.htm. Historical data available at https://www.bls.gov/webapps/legacy/cpsatab1.htm. Figures are seasonally adjusted and capture women and men ages 20 and over.

[17] National Women's Law Center (NWLC) calculations using Bureau of Labor Statistics (BLS), "Employees on Nonfarm Payrolls by Industry Sector and Selected Industry Detail," Table B-1 in November 2021 Employment Situation Summary (Washington, DC: December 3, 2021), https://www.bls.gov/news.release/empsit.t17.htm. Historical data available at https://www.bls.gov/webapps/legacy/cesbtab1.htm. Figures are seasonally adjusted.

Without public investment, however, many care providers do not have the resources to expand their facilities or attract new employees with higher wages—and qualified workers may seek better-paying jobs in other sectors.[18] Consider this: caregiving professionals earn wages 20% lower than professionals with comparable skills[19] and child care workers experience poverty at twice the rate as other workers.[20] A recent New York Times article quoted Rashelle Myers, who splits her time between providing child care and working as a barista stating, "I make $10 an hour to shape the future of children but make $15 an hour to hand someone a cup of coffee. That doesn't make sense."[21]

Predictably, the resulting economic insecurity leads to high turnover. Early educators, nearly all women and disproportionately women of color, are finding they can make more money in retail than in doing the critical work of educating infants and toddlers. Similar dynamics are affecting the home care sector.[22] This turnover results in disruptions for family caregivers, who are 13.9 percentage points more likely than non-caregivers to experience job separation or furloughs.[23] High turnover of care professionals also leads to lower-quality care—particularly for children, whose development is related to trust and connection with their caregivers.[24]

Another factor pushing women out of the labor force is the lack of paid family and medical leave. Today, only 23% of workers in the United States have access to paid family leave through their employers (i.e., paid time away from work to, for example, care for a family member with a serious health condition or a new baby), and just 40% have paid medical leave to address their own serious health conditions through an employer-provided short-term disability program.[25] For people working in low-paid and part-time jobs—most of whom are women, disproportionately women of color—access is even more limited;

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[18] *See, e.g.,* Claire Cain Miller, *'Can't Compete': Why Hiring for Child Care Is a Huge Struggle*, N.Y. Times: The Upshot (Sept. 21, 2021), https://www.nytimes.com/2021/09/21/upshot/child-care.html; Kavitha Cardoza, *There's a Shortage of Home Health Aides for the Elderly, and It's Getting Worse,* NPR (Sept. 28, 2021), https://www.npr.org/2021/09/28/1031651663/shortage-home-health-aides-elderly.
[19] Equitable Growth, "What does the research say about care infrastructure?" April 2021, https://equitablegrowth.org/wp-content/uploads/2021/04/041521-care-infrastructure-fs.pdf.
[20] Claire Ewing-Nelson, "One in Five Child Care Jobs Have Been Lost Since February, and Women Are Paying the Price," (NWLC, August 2020), https://nwlc.org/wp-content/uploads/2020/08/ChildCareWorkersFS.pdf.
[21] Jason DeParle, "When Child Care Costs Twice as Much as the Mortgage" Child Care Has High Costs for Parents, Low Wages for Staff - The New York Times (nytimes.com), October 9, 2021.
[22]Kavitha Cardoza, "There's a Shortage of Home Health Aides for the Elderly - And It's Getting Worse" https://www.npr.org/2021/09/28/1031651663/shortage-home-health-aides-elderly, National Public Radio, September 28, 2021.
[23] Wash. Ctr. for Equitable Growth, *What Does the Research Say About Care Infrastructure?* (April 2021), https://equitablegrowth.org/wp-content/uploads/2021/04/041521-care-infrastructure-fs.pdf.
[24]Simon Workman and Rebecca Ullrich, *Quality 101: Identifying the Core Components of a High-Quality Early Childhood Program*, Center for American Progress (February 2017) https://americanprogress.org/article/quality-101-identifying-the-core-components-of-a-high-quality-early-childhood-program/.
[25] Bureau of Labor Statistics, *National Compensation Survey: Employee Benefits in the United States, March 2021,* U.S. Dept' of Labor 63, 127 (Sept. 2021), https://www.bls.gov/ncs/ebs/benefits/2021/employee-benefits-in-the-united-states-march-2021.pdf (Tables 17, 33).

among workers in the lowest quartile of wage earners, for example, only 12% have access to paid family leave.[26]

This gaping hole in our care infrastructure means that workers must choose between a much-needed paycheck or caring for themselves or a loved one, between this month's rent and bonding with a new baby or being with a dying parent. Such choices are not only inhumane, they are dangerous. In the face of an ongoing pandemic—including new variants about which we are still learning—the lack of paid leave means that people who have COVID-19, who have COVID-19 related disabilities/long COVID, or who are caregiving for loved ones with COVID-19 face impossible choices between a paycheck and their own health and that of the public.

Women of color are hardest hit

Women and families of color have long borne the largest costs from decades of disinvestment in caregiving. The overwhelming majority of early educators (over 90%) are women, and disproportionately women of color and immigrant women. Similarly, three out of five home care workers are people of color and approximately one in three are immigrants. Black and Latina mothers are more likely to work in jobs that have low pay and unpredictable schedules, making care more difficult to find and afford.[27]

None of this is coincidental; rather, it is rooted in a racist and sexist history of undervaluing the care work done predominantly by Black women, Indigenous women, and other women of color.[28] Even before our nation's founding, enslaved Black women were expected to care for the children of white families for little or no pay. In the New Deal era, lawmakers excluded domestic and care workers—disproportionately women of color and immigrant women—from labor protections.[29] The Nixon veto from 50 years ago in part stemmed from hostility to women working outside the home—but women of color, particularly Black women, have always needed to work to support their families. In short, our country has always devalued care work precisely because of who does it.

What can we do about it?

Fortunately, we have ample research underscoring how investing in policies that enable women to both work and care for their families has the potential to transform our economy in ways that benefit all of us.

An international perspective

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[26] *Id.* at 127 (Table 33). Among part-time workers, only 11 percent have access to paid family leave. *Id. See also When Hard Work Is Not Enough: Women in Low-Paid Jobs,* NWLC (April 2020), https://nwlc.org/resources/when-hard-work-is-not-enough-women-in-low-paid-jobs/.

[27] Ibid.

[28] Melissa Boteach, "COVID-19 and the Child Care Crisis: Testimony before The House Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies," February 2021, HHRG-117-AP07-Wstate-BoteachM-20210219.pdf (house.gov).

[29] Julie Vogtman, National Women's Law Center, Undervalued: A Brief History of Women's Care Work and Child Care Policy in the United States (2017), final_nwlc_Undervalued2017.pdf.

The experiences of our peer countries in the Organization for Economic Cooperation and Development (OECD) underscore that investing in care infrastructure is a key factor in bolstering women's labor force participation. From 1990 to 2010, the United States fell from 6th to 17th in female labor force participation among 22 OECD countries. Research by Francine Blau and Lawrence Kahn finds that nearly 30% of this drop can be attributed to other OECD countries expanding their family-friendly policies relative to the United States.[30]

In Europe, for example, the average length of paid parental leave is 14 months.[31] In terms of child care, Denmark subsidizes child care up to age 10; German families can access child care centers for free or limited co-pays; and in France, families receive up to 85% of the cost of child care through tax credits for infants and toddlers. In many other industrialized countries, including France, Germany, the United Kingdom, Spain, and South Korea, over 90% of 3-year-olds are in preschool— compared to just 40% in the United States.[32] While the models differ across countries, the common denominator is investment, an area where the United States is an outlier. We spend an average of $500 per child on early childhood care compared to the OECD average of $14,406.

This underinvestment carries consequences for women's workforce participation and our economic growth. The National Partnership for Women & Families estimates that if women's labor force participation in the U.S. were to match rates for women in Canada, Germany, and the United Kingdom—where public policies provide greater support for caregiving—there would be up to 4.85 million more women in the workforce than there are now and $650 billion per year added to the economy overall, equivalent to 2.9% of total GDP.[33] Looking at Canada specifically, the Federal Reserve Bank of San Francisco observed in a 2018 study that while the labor force participation rate for women in their prime working years (ages 25 to 54) in the U.S. and Canada was nearly identical in 1997 (at 77%), by 2017, participation for Canadian women had risen to 83% while the rate for U.S. women had fallen to 75%, leaving an 8 percentage point gap.[34] The study points to subsidized child care and paid parental leave as two "policies aimed directly at supporting parental attachment to the labor force have followed significantly different paths in the United States and Canada over this period," and estimates that if U.S. women of every level of educational attainment in the U.S. were to reach the participation level of their Canadian counterparts, the labor force participation rate for prime age women in the U.S. would rise by six percentage points.[35]

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[30] Francine Blau and Lawrence Kahn, "Female Labor Force Participation: Why is the U.S. Falling Behind" Female Labor Supply: Why is the US Falling Behind? | NBER (January 2013)
[31] Claire Cain Miller How Other Nations Pay for Child Care. The U.S. Is an Outlier. - The New York Times (nytimes.com), October 6, 2021.
[32] Claire Suddath, "How Child Care Became the Most Broken Business in America Biden's Build Back Better Wants to Save America's Child Care Business - Bloomberg, November 18, 2021.
[33] Amanda Novello, *The Cost of Inaction: How a Lack of Family Care Policies Burdens the U.S. Economy and Families,* Nat'l Partnership for Women & Families (July 2021), https://www.nationalpartnership.org/our-work/resources/economic-justice/other/cost-of-inaction-lack-of-family-care-burdens-families.pdf.
[34] Mary C. Daly et. al, "Why Aren't U.S. Workers Working?" *FRBSF Economic Letter* (Nov. 13, 2018), https://www.frbsf.org/economic-research/files/el2018-24.pdf.
[35] *Id.* at 4.

State proof points

There are also plentiful examples *within* the United States underscoring the positive ramifications of investing in care infrastructure. An analysis of California and New Jersey's state paid leave laws found that paid leave was "associated with a substantial increase in labor-force attachment in the months directly around birth."[36] After Washington, D.C.offered two years of universal preschool, mothers' labor force participation increased by 12 percentage points, with 10 percentage points attributable to preschool expansion.[37] Other research shows that married mothers who moved to a state with more expensive child care were 18 percent less likely to be employed than married mothers who moved to a state with less expensive child care.[38]

Investments in the Build Back Better Act would be transformative

Congress has an opportunity today with the Build Back Better Act to enact the type of care infrastructure that research has shown time and again would have far-reaching positive effects on women's labor force participation, family economic security, and our overall economic growth.

Specifically, the bill would:

- Guarantee access to affordable, high-quality child care for families earning up to 250 percent of their state's median income. Low-income families would have no co-pays and all eligible families would pay no more than 7 percent of their household income toward child care.
- Enact universal and free pre-kindergarten for all 3 and 4 year olds
- Establish up to four weeks of paid family and medical leave
- Invest $150 billion in Medicaid to make home and community based services for seniors and people with disabilities more widely available.

The positive ripple effects of such investments are far-reaching.

Child care and early learning:

The investments in child care and pre-kindergarten in Build Back Better would offer a guarantee of child care assistance to 93 percent of working families, providing subsidized care for more than 13 million children under age 6 - sixteen times more children than are served under the status quo[39].

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[36] Tanya Bkyer, S. 2016. "Paid Parental Leave Laws in the United States: Does Short-Duration Leave Affect Women's Labor-Force Attachment?" *American Economic Review*, 106 (5): 242-46.
[37] Rasheed Malik, "The Effects of Universal Preschool in Washington, D.C.
Children's Learning and Mothers' Earnings, September 2018.
https://www.americanprogress.org/article/effects-universal-preschool-washington-d-c/
[38] Liana Christin Landivar; Leah Ruppanner; William J. Scarborough, "Are States Created Equal? Moving to a State with More Expensive Child Care Reduces Mothers' Odds of Employment," Duke University Press, April 1, 2021
[39]Ibid

If this legislation were enacted, the typical family in 32 states would save more than $100 a week on child care expenses,[40] while mothers with young children would see pay increases that would result in a combined increase of $24 billion in annual earnings, closing one-third of the "motherhood penalty."[41] The child care and early learning plans could also create and support more than 2 million jobs nationwide, while offering better job quality for early educators and addressing the child care workforce shortage.[42]

Such an investment in affordable, quality child care carries a lifetime's worth of benefits for women and families.[43] Research by the Center on Poverty and Social Policy at Columbia University and National Women's Law Center found that an investment in affordable child care for everyone who needs it would increase the number of women with young children working full-time/full-year by about 17 percent, and by 31 percent for women without a college degree. That increase in labor force participation would translate into higher wages for women and greater security for the families who depend on them. With access to affordable care, a woman with two children would see her lifetime earnings increase by about $94,000, leading to an increase of about $20,000 in private savings (contributions plus growth) and an additional $10,000 in Social Security benefits. Collectively, such an investment would boost the collective lifetime earnings of a cohort of 1.3 million women by $130 billion. These gains compound over time, and by the age of retirement, that access to affordable child care would mean that women with two children would have about $160 per month in additional cash flow from increased private savings and Social Security benefits. Black and Latina women would particularly benefit from increased earnings and retirement savings, with additional lifetime Social Security benefits of $13,000 and $12,000 respectively (compared to $8,000 for white women).

Paid leave

Evidence from the states that have already implemented paid family and medical leave programs shows that access to paid leave can improve labor force attachment for new parents. For example, one study found that under California's paid leave law, new mothers are 18 percentage points more likely to be working the year after the birth of their child, relative to their counterparts without paid leave access.[44] Other recent research similarly showed a roughly 20 percent increase in the probability of mothers' labor

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[40] Rasheed Malik, "The Build Back Better Act Would Greatly Lower Families' Child Care Costs - Center for American Progress," September 2021

[41] Julie Kashen and Jessica Milli, "The Build Back Better Plan Would Reduce the Motherhood Penalty," October 8, 2021, https://tcf.org/content/report/build-back-better-plan-reduce-motherhood-penalty/

[42] CLASP, National Women's Law Center and The Century Foundation "The Build Back Better Act, Child Care and Early Learning By the Numbers," October 2021, https://nwlc.org/wp-content/uploads/2021/10/450BBBFS.pdf

[43] Robert Paul Hartley, Ajay Chaudry, and others "A Lifetime Worth of Benefits: The Effects of Affordable, High-quality Child Care on Family Income, the Gender Earnings Gap, and Women's Retirement Security" NWLC and Center on Poverty and Social Policy at Columbia University, 2021, A-Lifetimes-Worth-of-Benefits-_FD.pdf (nwlc.org).

[44] *See, e.g.,* Wash. Ctr. for Equitable Growth, *What Does the Research Say About Care Infrastructure?* (April 2021), https://equitablegrowth.org/wp-content/uploads/2021/04/041521-care-infrastructure-fs.pdf.

force participation during the year of a child's birth, with the increase remaining significant up to five years later.[45]

Paid leave is equally important for the roughly one in five Americans—predominantly women—who provide care for loved ones who are aging or living with disabilities.[46] Most (61 percent) of these family caregivers also hold a paying job—but a majority lack access to paid leave to help manage the demands of caregiving while maintaining employment.[47] A recent analysis from the National Partnership for Women & Families finds that even the scaled back proposal for four weeks of paid leave currently included in the Build Back Better Act would add at least 3.7 million more women caregivers to the workforce by 2030 (more than 460,000 per year). This could include more than 850,000 Black caregivers and one million Latinx caregivers.[48] And if the number of caregivers increases proportionally to the population of older Americans in need of care in the coming years, having paid leave in place could add as many as 9.3 million more caregivers to the workforce.[49]

Home and community based services

The investments in home care in the Build Back Better Act, too, would help support family caregivers by making support from paid home care workers more available and accessible. Even before the pandemic, demand for home- and community-based services (HCBS) far outpaced supply, especially for lower-income families; in 2018, more than 800,000 Americans were on waitlists to receive home- and community-based services through Medicaid (equivalent to nearly half of the total population that was receiving those services).[50] Increasing federal funding for Medicaid HCBS will enable more family caregivers to work,[51] create new HCBS jobs, and improve job quality and economic security for home care workers—nearly all of whom are women, and predominantly Black women, Latinas, and other women of color.[52]

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[45] *Id.*

[46] *Caregiving in the U.S. 2020*, AARP 9-10 (May 2020), https://www.aarp.org/content/dam/aarp/ppi/2020/05/full-report-caregiving-in-the-united-states.doi.10.26419-2Fppi.00103.001.pdf.

[47] Lynn Friss Feinberg & Laura Skufca, *Managing a Paid Job and Family Caregiving Is a Growing Reality: Nearly 30 Million Family Caregivers of Adults Are in the Labor Force,* AARP 4 (Dec. 2020), https://www.aarp.org/content/dam/aarp/ppi/2020/12/managing-a-paid-job-and-family-caregiving.doi.10.26419-2Fppi.00103.024.pdf

[48] Amanda Novello, *Paid Leave Could Keep More Than 6 Million Caregivers Connected to the Labor Force by 2030*, Nat'l Partnership for Women & Families (Nov. 2021), https://www.nationalpartnership.org/our-work/resources/economic-justice/paid-leave/paid-leave-caregivers-connected-2030.pdf.

[49] *Id.*

[50] *See* Wash. Ctr. for Equitable Growth, *supra* note --, at 2.

[51] A recent study found that for every 2.4 to 3 women whose parents receive Medicaid home care services, one additional daughter works full-time. *See* Karen Shen, *Who Benefits from the Public Financing of Home Care for Low-Income Seniors?* (May 2021), https://scholar.harvard.edu/files/kshen/files/caregivers.pdf.

[52] *See, e.g.,* Claire Ewing-Nelson, *More Than Three in Four of the Health Care Workers Fighting COVID-19 Are Women,* NWLC (Dec. 2020), https://nwlc.org/wp-content/uploads/2020/12/HealthCareWorkersFS.pdf.

Conclusion:

Fifty years ago this week, President Nixon's veto of bipartisan legislation to create universal child care set the stage for the crisis we face today. COVID-19 continues to lay bare and exacerbate long standing inequities in our economy, but it did not create them. Over the past several decades, women have fought tooth and nail for gains in the workforce, but the lack of care infrastructure and stress of navigating the demands of breadwinning and caregiving with little support has taken an enormous toll on women's well-being and the well-being of their families. The pandemic mercilessly revealed these gains were built on a foundation of sand. As our nation's fragile care infrastructure wavered and ultimately crumbled under the pressure of the pandemic, women went from historic highs in labor force participation to historic lows - virtually overnight. It is December 2021 and we are at the same labor force participation rate as our mothers were in 1989.

We know the solutions. Ample research underscores that investments in child care and early learning, paid leave, and home and community based services collectively create the "care infrastructure" that families need to balance breadwinning and caregiving and that support our entire economy by enabling women's labor force participation. Congress has a historic opportunity before it to take a different and better path - I urge you to seize it.