



Left Out

How corporate America's parental leave policies discriminate against dads, LGBTQ+, and adoptive parents

The United States is the only industrialized country in the world without a national paid family leave policy. While media coverage often focuses on new paid family leave announcements by a few exemplary employers, the numbers tell a different story: 114 million people in the U.S. still don't have a single day of paid family leave.

An in-depth look at the policies of the largest employers in the United States reveals a stark picture of exactly who is being left out: the majority of the nation's top companies give little or no paid parental leave to dads and adoptive parents – and, if they do provide leave at all, it is usually much less than what is provided for birth mothers. Furthermore, current policies make it challenging for fathers to play an active role in family caregiving and also have a disproportionate impact on LGBTQ+ employees.

These realities raise significant questions about the message such policies send about gender roles, equity, and inclusion in corporate America – and in society. Is parenting only a woman's job? Do such policies devalue child-rearing by dads, adoptive mothers and fathers, and parents who aren't heterosexual? And can society move towards equality for women in the workplace without also having equality for men at home?

Most Fortune 500 companies now pride themselves on offering equal benefits to their LGBTQ+ employees¹ and have evolved many of their policies toward inclusivity. But since LGBTQ+ people are more likely to be adoptive parents or dual-father households, unequal paid family leave remains one striking area in which major companies are leaving these employees out.

These unequal policies are not only unfair, they are often illegal. The courts and the Equal Employment Opportunity Commission (EEOC) have made clear that men and women are entitled to equal amounts of paid and unpaid leave for the purposes of caregiving, and policies that discriminate on the basis of sex and/or sexual orientation violates Title VII. And policies that are seen to privilege women (for example, policies that distinguish between primary and secondary caregivers) and exclude gay men could violate Title VII's ban on sex discrimination and more than 20 state laws that prohibit sex and sexual orientation discrimination².

Due to the lack of federal policy, states have been taking the initiative on equal parental leave. California, Rhode Island, New Jersey – and soon New York and the District of Columbia – all have policies that provide equal paid bonding time for all working parents. In the other 46 states, however, no federal or state policy provides any paid family leave to new parents – and it's up to companies to lead the way.

Modern companies understand that all parents need equal time to bond with their new children, and parental leave policies must reflect that.

¹ [Human Rights Campaign Corporate Equality Index 2017](#)

² California Federal Savings & Loan Association v. Guerra, 479 U.S. 272 (1986); Johnson v. University of Iowa, 431 F.3d 325 (8th Cir. 2005); Schafer v. Board of Public Educ. of School Dist., 903 F.2d 243 (3rd Cir. 1990); Order, Shapiro v. Baltimore County Bd. of Edu., No. MJG-96-2895 (D. Md. Aug. 21, 1997); U.S. Equal Employment Opportunity Commission, Enforcement Guidance: Pregnancy Discrimination and Related Issues (Parental Leave) (July 25, 2015).

Corporate paid parental leave policies consistently provide less paid parental leave to non-birth parents, or leave out non-birth parents entirely. In fact, paternity leave has actually been declining in the U.S. in recent years, with a 5% drop between 2010 and 2014¹.

We surveyed 44 of the largest employers in the U.S., and the data show a clear trend of major employers leaving fathers and adoptive parents out. Of the 44 companies we researched:

17 companies leave out all or some of the dads and adoptive parents in their workforce. 8 top companies provide no paid family leave to any dads or adoptive parents.

- a. Albertsons
- b. CVS
- c. Gap
- d. Kroger
- e. Publix Super Markets
- f. Staples
- g. SuperValu
- h. Walgreens

Another 9 companies provide paid parental leave for higher-income dads or adoptive parents (i.e., those who work in the corporate headquarters), but leave out the lower-wage workers (i.e. retail staff) who comprise huge portions of their workforce².

- i. Amazon – part-time dads and adoptive parents are left out
- j. Darden – hourly dads and adoptive parents are left out
- k. Marriott – part-time dads and adoptive parents are left out
- l. McDonalds – hourly dads and adoptive parents are left out
- m. Nike – part-time dads and adoptive parents are left out
- n. Starbucks – field employees who are dads and adoptive parents are left out
- o. Toys “R” Us – hourly dads and adoptive parents are left out
- p. Walmart – hourly dads and adoptive parents are left out
- q. Yum! Brands – field employees who are dads and adoptive parents are left out

¹ Miller, Claire Cain., (2014, November). Paternity Leave: The Rewards and Remaining Stigma. New York Times. Retrieved from <https://www.nytimes.com/2014/11/09/upshot/paternity-leave-the-rewards-and-the-remaining-stigma.html>.

² These companies include those whose policies offer no paid parental leave to lower-wage employees (those who are hourly, field, or part time) which are often the vast majority of the workforce at an employer

7 companies provide significantly less paid family leave to dads and adoptive parents or secondary caregivers compared to what is provided for birth mothers or primary caregivers. (With significantly less” meaning greater than 8 weeks disparity).

- a. Amazon
- b. Apple
- c. General Electric
- d. JPMorgan (secondary caregiver)
- e. Procter & Gamble
- f. Walt Disney Company
- g. Wells Fargo (secondary caregiver)

Only 10 provide equal paid parental leave to all new parents³ – less than a quarter of the companies we surveyed.

- a. Bank of America
- b. Citigroup
- c. Deloitte
- d. Ernst & Young
- e. Hilton
- f. Ikea
- g. Levi’s
- h. Nordstrom
- i. Target
- j. Verizon Communications



“I do not have any paid family leave at Walmart in order to care for my foster daughter. I have been penalized when I’ve needed time to take my daughter to the doctor or hospital even though I am her legal guardian and, by law, the only person allowed to take her. Adoptive and foster kids need care and bonding too. It would have made a world of difference to have had paid family leave when we welcomed her to our family.”

— April, Walmart employee and adoptive parent

³ It should be noted that mothers who give birth may need time off specifically for physical recovery from childbirth, separate from paid time for caregiving/parenting. Thus, companies that offer 6-8 weeks of such additional paid disability time to birth mothers are still considered to have “equal” policies if the paid time off for caregiving is the same for all parents. Companies that “equally” offer no paid family leave at all are excluded.

The role of fathers in families has changed considerably in recent decades. A recent study of Millennial men shows the majority of men consider parenthood as central to their identity, are doing more childcare than ever before, and the rates of stay-at-home fathers are climbing¹. Research from Boston College shows that men have nearly tripled their time spent providing primary childcare (the amount of time when childcare is their primary activity) over the last few decades, and 89% of respondents in their study felt that companies should offer paternity leave. Additional research from Boston College shows that most fathers believed they should share their children's caregiving equally with their spouses (however, only about 30% claimed to be actually doing that)².

Policies that leave out fathers are not only bad for dads – they can have negative impacts on the whole family. Conversely, when fathers do have paternity leave, studies show this leads to increased subsequent involvement in their children's lives. When men are able and encouraged to take paid family leave, it has lasting positive effects on their children, as well as improving gender equity. Thorough scientific review from an international panel found that 17 different research studies reported positive outcomes from paternal involvement. The researchers concluded that “there is evidence to indicate that father engagement positively affects the social, behavioral, psychological and cognitive outcomes of children³.”

JPMORGAN CHASE

JPMorgan Chase offers 16 weeks paid parental leave to primary caregivers and 2 weeks to secondary caregivers. A “primary” versus “secondary” distinction is often cited by employers as “gender-neutral,” but the fact is that women are far more likely to qualify as a “primary” caregiver than men¹. Forcing parents to decide who should be “primary” vs. “secondary” caregiver is an outdated distinction for families where parenting responsibility is shared. Cultural barriers ensure that men are less likely to take paid parental leave even when they do have access to it², and “primary/secondary” categorization adds another hurdle for men to jump through in order to take leave³.

In the case of JP Morgan Chase, the company does not implement its parental leave policy in a gender-neutral manner. The company presumptively considers women—and not men—to be primary caregivers, and makes it much harder for fathers to qualify as primary caregivers than for women to qualify as primary caregivers.

- 1 See, e.g., *Knussman v. Maryland*, 272 F.3d 625, 629 (4th Cir. 2001). Although the court ultimately ruled in favor of the Plaintiff, Maryland state trooper Howard Knussman. Knussman was originally told by the Maryland Department of Personnel that fathers could only take leave as secondary care givers because they “couldn’t breast feed a baby.” *Id.* This demonstrates the extra hurdle that men may have to overcome in demonstrating that they are the primary caregivers.
- 2 [The New Dad: Take Your Leave Boston College 2014](#)
- 3 Evidence suggests that in order for an employee to be designated “primary” caregiver he/she must sign an affidavit: “Primary Caregiver Benefits Sound Gender-Neutral but Aren’t” by Josh Levs in *The Atlantic* 2015.

1 [Pew Research Center 2016](#)

2 http://www.bc.edu/content/dam/files/centers/cwf/research/publications/researchreports/The%20New%20Dad%202015_A%20Portrait%20of%20Today%20Fathers

3 *ibid*

FAMILY LIFE

- Paternity leave has been found to promote fathers' participation in childcare and improve fathers' satisfaction with the contact they have with their children⁴
- A Cornell study found that fathers' participation in household and childcare duties increased 250% when they had five weeks of paid paternity leave⁵
- Fathers who take at least 2 weeks parental leave are more likely to contribute to childcare duties long after the leave is over⁶
- Early paternal involvement can lead to positive long-term improvements for children, specifically in their education. A study by the University of Oslo found that children whose fathers had taken paternity leave did better at secondary school; daughters, especially, seem to flourish if their dads had taken time off⁷.

GENDER ECONOMIC EQUITY

- It has been proven that paternity leave helps reduce the wage gap between men and women. The World Economic Forum found that the countries that offer paternity leave are the most successful in closing the wage gap between men and women⁸.

4 [The Impact of Taking Parental Leave on Fathers' Participation in Childcare and Relationships With Children: Lessons from Sweden](#)

5 [Reserving Time for Daddy: The Short and Long-Run Consequences of Fathers' Quotas](#)

6 [FATHERS' LEAVE, FATHERS' INVOLVEMENT AND CHILD DEVELOPMENT: ARE THEY RELATED? EVIDENCE FROM FOUR OECD COUNTRIES 2013](#)

7 A study by the University of Oslo found that paternity leave improved children's performance at secondary school; daughters, especially, seem to flourish if their dads had taken time off.

8 [World Economic Forum The Global Gender Gap Report 2015](#)

The last decade has seen huge advances in LGBTQ+ equality – from federal recognition of marriage equality to a seismic shift in corporate policies that include and support LGBT employees. In 2017, The Human Rights Campaign’s Corporate Equality Index saw the largest increase in perfect scores for top-rate businesses in the survey’s history. Yet, parental leave policies that actively discriminate against fathers and adoptive parents are a de facto way of excluding many LGBTQ+ employees and their families.

Same-sex couples are four times more likely than heterosexual couples to be raising an adopted child¹; thus, policies that leave out adoptive parents are also much more likely to exclude LGBTQ+ parents.

The families that are receiving the least amount of paid leave may also be the ones that need it the most. According to the National Center on Adoption and Permanency, studies suggest that lesbians and gay men may be more likely than heterosexual adults to adopt older children and those with special needs – children who often require more care as they adapt to their new environment². It’s important to note that, in the case of adoption from foster care (the most prevalent type of adoption in our country), parents’ need for caregiving and bonding time may be even greater because of the abuse or neglect their children may have suffered before coming to their new families. Offering less paid parental leave to dads and adoptive parents leaves these families, and children, less than adequate time to address the important issues in their lives.

The lack of paid family leave may also have an adverse economic impact on LGBTQ+ families. Single LGBTQ+ adults raising children are three times more likely than comparable non-LGBTQ+ individuals to report household incomes near the poverty threshold, and married or partnered LGBTQ+ individuals living in two-adult households with children are twice as likely as comparable non-LGBTQ+ individuals to report household incomes near the poverty threshold. Lack of paid leave can have severe economic consequences for lower-income households: nearly half of new parents who make less than \$30k annually, and who did not have fully paid parental leave sought public assistance³. And about 6 out of 10 low-income parents without fully paid family leave report that they had to resort to consequential measures to make up for the loss of income during their time off, such as taking on additional debt or putting off paying bills⁴.

Policies that leave out dads and adoptive parents hurt LGBTQ+ families.

- LGBTQ+ families include an estimated 22,000 adopted children, and 3,400 foster children
- Same-sex couples are four times more likely than their different-sex counterparts to be raising an adopted child, and six times more likely to be raising foster children
- Between 2000 and 2009, the number of same-sex couples raising adopted children doubled to 20%, and that number only seems to be increasing with federally recognized marriages⁵
- Nearly half of LGBTQ+ women, and one-fifth of LGBTQ+ men are parents to a child under the age of

1 The Williams Institute report [LGBT Parenting in the United States](#) by Gary J. Gates 2013

2 [The Donaldson Adoption Institute The Modern Adoptive Families Study: An Introduction 2015](#)

3 Horowitz, Juliana Menasce, Kim Parker, Nikki Graf, and Gretchen Livingston. "Americans Widely Support Paid Family and Medical Leave, but Differ Over Specific Policies." Pew Research Center's Social & Demographic Trends Project. 23 Mar. 2017. Web. 09 May 2017.

4 <http://www.pewsocialtrends.org/2017/03/23/an-inside-look-at-family-and-medical-leave-in-america-the-experiences-of-those-who-took-leave-and-those-who-needed-or-wanted-to-but-couldnt/>

5 In Census 2000, nearly 10% of same-sex couples with children reported raising an adopted child. By 2009, the American Community Survey suggested that the figure had risen to 19%. [The Donaldson Adoption Institute The Modern Adoptive Families Study: An Introduction 2015](#)

Starbucks: Leaving LGBTQ+ partners behind

Starbucks is one example of a large employer that offers no paid parental leave for the vast majority of fathers and adoptive parents in its workforce.

Earlier this year, Starbucks announced a new paid parental leave policy to go into effect in October of 2017 – it provides 12 fully-paid weeks to employees in corporate headquarters who are new parents (including dads and adoptive parents), with an additional 6 weeks (18 weeks total) for birth moms. But since this policy is just for employees in corporate headquarters, it only affects 3% of employees – and leaves out nearly 150,000 staff who work in Starbucks stores. Dads and adoptive parents who work as baristas are left out completely.

A number of employees, including [Niko Walker](#), a trans man who works for Starbucks as a barista in Los Angeles, are asking the company to expand its policy so that all employees, including LGBTQ+ parents, have equal access to paid parental leave.

According to Niko, “Starbucks has always been very supportive of me, and who I am, as a trans man. But I was shocked to see their policy doesn’t apply to barista dads. I want to be a father one day, and I just want to know that my company would support me if I decide to go through that chapter, that part of my life.”



“A big reason why I went to work for Starbucks was because of their inclusiveness of the LGBTQ+ community. I am a transgender male and Starbucks is a place that I, and my LGBTQ+ friends who also work for the company, can be authentic. Because of their public commitment to non-traditional families, I was surprised to learn that the paid leave offered to partners does not extend to fathers or adoptive parents.”

— Niko, Starbucks employee

Dads and adoptive parents do not have equal access to paid family leave at the top companies in the U.S., and this has major implications for LGBTQ+ families, as well as for gender equity and for the success and well-being of children.

Many of the largest employers still have policies that provide significantly more paid time off for birth mothers than for other parents who also need to bond with, and care for, their new babies.

The long-term solution to our caregiving crisis is a federal paid family leave insurance program to bring paid family leave to everyone in the U.S. In the absence of such federal policy, it's time for companies that claim to support the principles of diversity, equity and inclusion to move beyond discriminatory practices and show that they value all parents.

METHODOLOGY:

To determine paid parental leave policies, we reached out to companies directly via email. For those who did not immediately respond, we made, at minimum, two additional follow-up attempts. Policies in this report are considered “confirmed” if confirmed through direct communication with a representative of a company, through reporting in a publication of record, or via current (dated 2016 or 2017) documentation of benefits published by the company and found via online research.

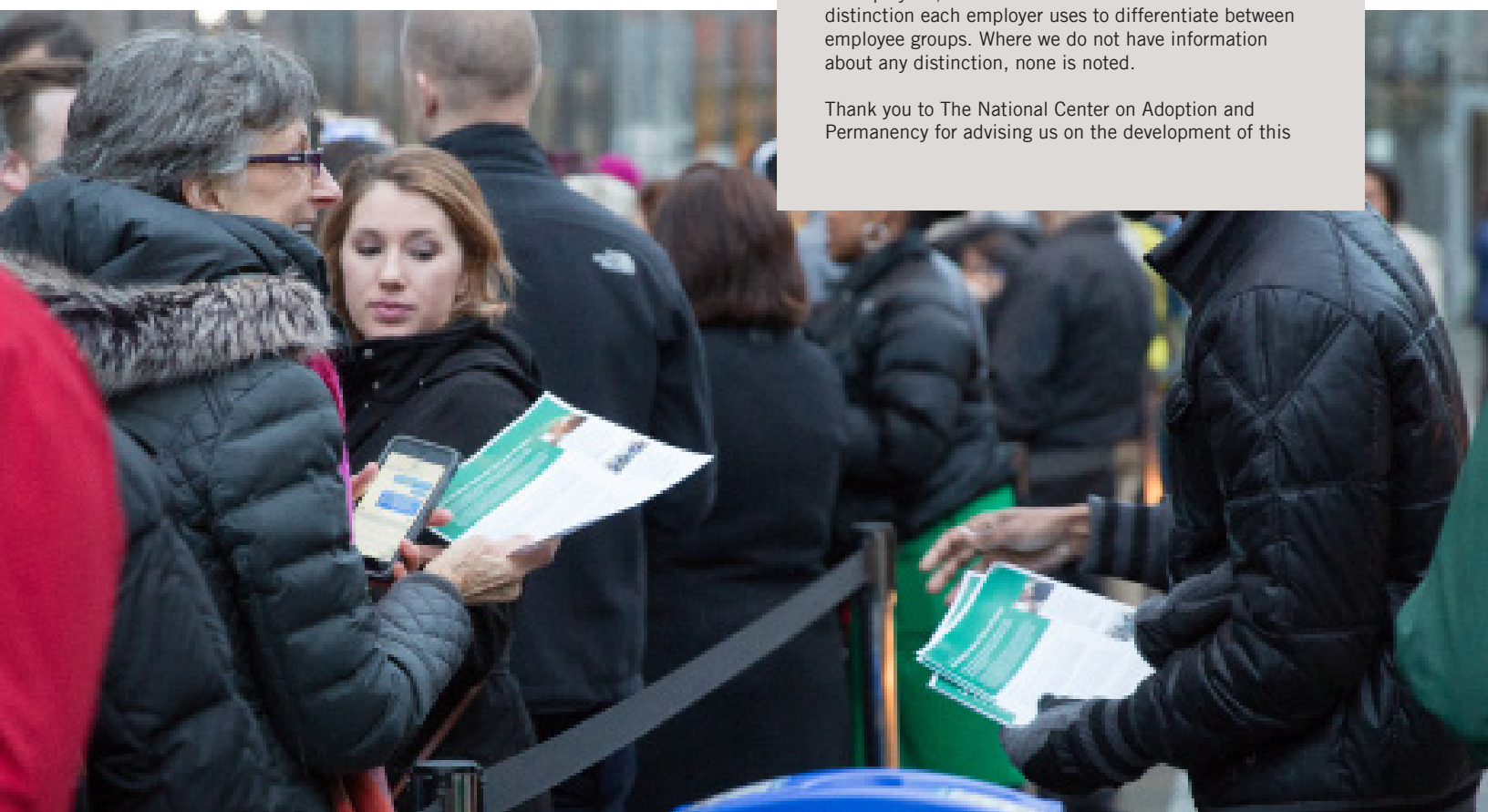
Companies included in this report represent the largest private employers across retail, restaurant, banking, grocery, apparel, and other sectors.

During our research, it became apparent that companies included in this report make distinctions between classes of employees in a number of ways. Including:

- Employees based in a corporate headquarters office versus those based in field stores or locations
- Salaried or management employees versus hourly employees
- Those covered under collective bargaining contracts versus regular employees
- Employees working full time (30 hours/week or more) or part time (less than 30 hours/week) on average

Where company policies are not equal for all classes of employees, we have noted which method of class distinction each employer uses to differentiate between employee groups. Where we do not have information about any distinction, none is noted.

Thank you to The National Center on Adoption and Permanency for advising us on the development of this



COMPANY	TYPE	BIRTH MOMS	DADS & ADOPTIVE PARENTS	CONFIRMED	# OF EMPLOYEES	SOURCES
Albertsons	Corporate	6–8	0	Yes	164,000	Confirmed by company
	Hourly	0	0			
Amazon.com	Full Time	20	6	Yes	341,000	http://time.com/money/4098026/amazon-paid-parental-leave-benefits/
	Part Time	0	0	Yes		Confirmed by company
Apple Stores/iTunes	Corporate	12–18	6	Yes	115,000	http://appleinsider.com/articles/14/10/02/apple-overhauls-employee-benefits-with-longer-parental-leave-improved-education-reimbursements ; http://fortune.com/2014/10/02/apple-employee-perks/
	Field	12–18	6	Yes		
AT&T	Management	2–10	2	Yes	246,740	http://att.jobs/doing-great-things/life-at-att/rewards
	Union Contract	6–8	0	Yes		Confirmed by company
Bank of America	Full Time	16*	16*	Yes	208,000	http://www.charlotteobserver.com/news/business/banking/bank-watch-blog/article68884537.html
	Part Time	16	16	Yes		
Cargill	Full Time	2	2	Yes		Confirmed by company
	Part Time	0	0			
Citigroup	Corporate	16	8–16	Yes	230,000	http://www.businessinsider.com/citi-parental-leave-change-2016-9
	Hourly	—	—			Citi has failed to respond to our inquiries
Coca-Cola Company		12–14	6	Yes		Confirmed by company
Costco Wholesale	Corporate	unconfirmed	unconfirmed		214,000	https://www.costcobenefits.com/forms/Costco%202017%20SPD%20Interactive%20PDF%20Version.pdf
	Hourly	unclear	unclear			
CVS Health	Corporate	6	0	Yes	158,000	Confirmed by company
	Field	6	0	Yes		
Darden Restaurants	Salaried	8–10	2	Yes	200,000	http://thinkprogress.org/economy/2015/02/05/3619728/olive-garden-pregnancy-discrimination/
	Hourly	6–8	0	Yes		Confirmed by company

COMPANY	TYPE	BIRTH MOMS	DADS & ADOPTIVE PARENTS	CONFIRMED	# OF EMPLOYEES	SOURCES
Deloitte		16–26	16	Yes		https://www2.deloitte.com/us/en/pages/about-deloitte/articles/press-releases/deloitte-announces-sixteen-weeks-of-fully-paid-family-leave-time-for-caregiving.html
Ernst & Young		16	16	Yes		http://www.prnewswire.com/news-releases/ey-paid-parental-leave-policy-in-us-increased-to-16-weeks-for-new-moms-and-dads-300250716.html
Gap Inc.	Full Time	6 (up to 65%)	0	Yes	150,000	https://d13ak21c8422ai.cloudfront.net/pdfs/gap/maternityleavespresentation.pdf
	Part Time	unclear	0			
General Electric	Salaried	16–18	6–12	Yes		Confirmed by company
	Hourly					
H&M	Corporate	unclear	unclear		148,000	
	Hourly	unclear	unclear			
Hilton Worldwide Holdings	Salaried	10	2	Yes	152,000	http://newsroom.hilton.com/index.cfm/news/hilton-launches-new-industry-leading-parental-leave-policies
	Hourly	10	2	Yes		
Ikea	Salaried	16	16	Yes	183,000	http://www.usatoday.com/story/money/business/2016/12/06/ikea-family-leave/95047768/
	Hourly	16	16	Yes		
JPMorgan Chase	Salaried	16*	2–16	Yes	250,355	Confirmed by company
	Hourly	16	2–16	Yes		Confirmed by company
Kroger	Corporate	6–8	0	Yes	431,000	Confirmed by company
	Hourly	unclear	unclear			
Levi's	Salaried	14–16	8	Yes	15,000	http://www.levistrauss.com/unzipped-blog/2016/12/levi-strauss-co-expands-parental-leave-for-u-s-employees/
	Hourly	14–16	8	Yes		
Marriott International	Full Time	9	2	Yes	199,929	Confirmed by company
	Part Time	0	0	Yes		

COMPANY	TYPE	BIRTH MOMS	DADS & ADOPTIVE PARENTS	CONFIRMED	# OF EMPLOYEES	SOURCES
McDonald's	Management	1	1	Yes	375,000	https://drive.google.com/file/d/0B2dRJIAtUbvaUkNENkl2S1RUSW8/view?ts=58c0e1d3
	Hourly	0	0	Yes		
Nike	Full Time	14	8	Yes	62,600	http://www.reuters.com/article/us-nike-leave-idUSKCN0Y22JC
	Part Time	0	0	Yes		
Neiman Marcus	Corporate	6	0		15,100	
	Hourly	unclear	unclear			
Nordstrom	Salaried	12	6	Yes	72,500	Confirmed by company
	Hourly	12	6	Yes		Confirmed by company
Pepsi Co		10–12	4	Yes		
Procter & Gamble		16	4	Yes		Confirmed by company
Publix Super Markets	Salaried	0	0	Yes	200,000	Confirmed by company
	Hourly	0	0	Yes		Confirmed by company
Rite Aid	Corporate	6	Unclear		89,000	https://fairygodboss.com/parental-leave/rite-aid-corporation
	Hourly	Unclear	Unclear			
Staples	Salaried	6	0	Yes	79,075	Confirmed by company
	Hourly	6	0	Yes		Confirmed by company
Starbucks	Corporate	18	12	Yes	155,000	http://globalassets.starbucks.com/assets/589a80b922dd41809f7058eb146338cb.pdf
	Field	6	0	Yes		
SuperValu	Salaried	6–8	0	Yes	43,542	Confirmed by company
	Hourly	6–8 (at 60%)	0	Yes		Confirmed by company
Target	Salaried	8–10	2	Yes	341,000	https://corporate.target.com/careers/benefits/financial-benefits
	Hourly	8–10	2	Yes		
Toys “R” Us	Full Time	2	2	Yes	70,000	Confirmed by company
	Part Time	0	0	Yes		Confirmed by company

COMPANY	TYPE	BIRTH MOMS	DADS & ADOPTIVE PARENTS	CONFIRMED	# OF EMPLOYEES	SOURCES
Trader Joe's	Corporate	unclear	unclear		38,000	
	Hourly	unclear	unclear			
Verizon Communications	Non-represented	8–10	2	Yes	162,000	http://www.verizon.com/about/careers/working-parents
	Union Contract					
Walgreens	Corporate	unclear	0	Yes	247,000	http://careers.walgreens.com/life-at-walgreens/benefits/part-time-team-members.aspx
	Hourly	unclear	0			
Walmart	Salaried	10	2	Yes	1,400,000	Confirmed by company
	Hourly	6–8 (at 50%–60% pay)	0	Yes		Confirmed by company
Walt Disney Company		12	3	Yes		
Wegmans Food Market	Corporate	unclear	unclear		58,000	
	Hourly	unclear	unclear			
Wells Fargo	Full time	16	4–16	Yes	268,800	http://www.charlotteobserver.com/news/business/banking/article70471167.html
	Part Time	16	4–16	Yes		
Whole Foods	Corporate	unclear	unclear		91,000	
	Hourly	unclear	unclear			
Yum! Brands	Corporate	18	6	Yes	505,000	http://www.yum.com/press-releases/yum-brands-kfc-pizza-hut-and-taco-bell-expand-parental-time-off-policy-and-family-benefits-for-u-s-corporate-employees/
	Field	0	0	Yes		

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A report by PL+US: Paid Leave for the United States.
www.paidleave.us