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MATERNITY DISABILITY PAY

Legislation is being introduced into Congress to reverse the U.S. Supreme Court decision last month in the General Electric case which held that Title VII of the Civil Rights Act does not require a company disability plan to pay wages to women who take off from their jobs or quit in order to have a baby.

The issue in this case was not insurance to pay for maternity hospital and doctor bills. Those medical benefits are already pro **vided.** The plaintiffs were endeavoring to force General Electric, over and above the payment of all medical biJ ls, to pay each woman employee who gets pregnant a wage of up to $150 per week for 6 to 26 weeks so that she can stay home and care for her newborn baby.

If the Supreme Court had put this burden on General Electric, it would have been highly discriminatory. It would discriminate, first, against all mothers who are fulltime homemakers. They would have no chance of getting wages for having babies because they do not have paid jobs.

A fulltime homemaker probably is in more need of financial help because her husband is the sole provider, whereas the working woman who gets pregnant usually belongs to a two-income family.

Second, the plan would discriminate against the men and all the non-pregnant women covered by the disability plan. They would be forced to allocate a large portion of their fringe-benefit dollar to pay high-cost benefits to a very small group of women.

Most disability plans are the result of a collective bargaining agreement that produces a fringe-benefit package covering pensions, vacations, holidays, and medical insurance. It is possible that the majority of workers would choose an extra week's vacation-with-pay for all employees, rather than a two- to six-month maternity vacation with-pay for only a few.

To require all employees to allocate part of their fringe-benefit dollar to pay wages to women workers who stay home with their new

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babies would mean forcing the male workers to pay maternity-leave wages to their women co-workers that are denied to the male workers' own wives. When a woman has a baby, her financial support **sbsuld** be the responsibility of the fatber of her child, not of her male co-workers.

Third, if the Supreme Court decision had gone the other way, it IDuld discriminate against the majority of U.S. workers, male and female, who are not covered by any disability insurance at all. They will have little or no chance of ever getting disability eoverage for accident or illness if employers know that g they have any disability plan, it must pay wages to women during their maternity leave. The easy way for employers to cut costs would be to have NO disability plan for any illness or accident, and everyone would suffer.

There is no evidence that General Electric discriminated against women. Actuaries showed that it already costs 25 percent more to provide pensions to women (because they live longer), 30 percent more t provide medical benefits to women, and 70 percent more to provide disability insurance to women. Adding wages during maternity leave would not only double or triple the preferential treatment that women as a group already receive, but those advantages would accrue only to a minority of a minority of a minority.

General Electric statistics show that nearly half their women employees who take leave to have a baby do not return to work. Wages for maternity leave would therefore be a unique and discrimina tory form of severance pay denied to other workers.

It is difficult for politicians to appear to vote against the flag, apple pie, or motherhood. But on this issue, the politicians will have to choose between voting for a small minorit of mothers who have aggressive lawyers and press agents, or voting for the big majority of people made up of male workers and non-pregnant women tn the few businesses that have disability plans, plus all male and female workers in the many more businesses that have no disability plans, plus all wives who are fulltime homemakers and do not have paid jobs.

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