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The Social Injustice and Economic Folly of Family Leave

Family Values is the buzzword that is supposed to trigger votes in 1992 -- both George Bush and Bill Clinton use the phrase daily. But there's a fundamental difference between the two candidates' definition of the tern.

To the Democrats, Family Values means Big Brother government making major family decisions, managing the family's money, spending it in what government officials consider the family's best interests, and even serving as surrogate for husband and father. Republicans believe in tax cuts to let families run their own lives.

The so-called Family Leave bill is a case in point. Here we have a bunch of Congressmen, most of whom never met a payroll, presuming to tell employers how to run their businesses for the benefit of families. Congress has not demonstrated any competence either in running a business (we note Congressional mismanagement of its bank, post office, and restaurant), or in making decisions that are good for families.

Family Values shouldn't mean ordering an employer how to handle the problem of employees who want to take time off for personal reasons. Family Values shouldn't mean discriminating in favor of employed women who want to take time off for self-identified emergencies, while discriminating against all other women and men who make other choices and have different family or lifestyle arrangements.

Nobody owns a job, If, you do your Job, you are entitled to be paid fairly. If you don't do your job, you are not entitled to collect $rages or benefits -- because someone else does your job.

There is no good moral, social, economic, or political reason why Congressmen should decide who gets a Job and who doesn't. There is no evidence that Congressional decisions about who gets a job are any more fair than market forces. Let's take some examples.

Employer No. 1 has a bookkeeper (Employee A) who wants to take three months off to care for a sick child or parent, which means, of course, three months that are

not of the employer's choosing and could be during the company’s peak months. The proposed Family Leave bill would force the employer to hold the job open for Employee A for three months while continuing her health benefits, but not knowing for sure whether or not she will actually return (because women have been known to change their minds).

All the options available to Employer No. 1 would be costly. Hiring a “temporary" is usually costly and inefficient. Requiring other employees to work overtime to pick up the slack is hurtful to employee morale.

Three qualified applicants are eager to replace Employee A; Employee B who formerly worked for the company but quit three years ago when she had a baby in order to take care of her child fulltime, and now wants to return to nork; Employee C who works for the company in another capacity, but went to night school to advance herself by learning how to be a bookkeeper; and Employee D who is a qualified bookkeeper laid off by another company, and desperately needs another job. But it is too costly for the employer to hire one of, these and then fire her after three months, because the employer would become subject to all the hassle of providing her benefits and dealing with her lawyer.

Thus, the Family Leave bill would clearly discriminate in favor of Employee A and against Employees B, C, and D. There is no reason to presume that Employee A is worthier, and there is no Justice in giving her a preferential right to that Job.

Employer No. 2 has 53 employees, including a significant number of women of childbearing age. Since the Family Leave bill covers all companies with 50 or more employees, what is the sensible thing for Employer No. 2 to do if the Family Leave bill passes? The answer is, reduce the work force to 49 so the company escapes being covered by the law. The result is that nobody gets family leave and several people lose their jobs and transfer to the ranks of the unemployed.

Employer No. 3 has advertised a job opening, and he has 10 applicants, both men and women, all roughly comparable, but with dozens of variables in their resumes. The reason why the employer chooses one applicant rather than another won't show in the records, but it is clear that the Family Leave bill would burden women of childbearing age with a handicap that they don't now have.

Employer No. 4 is approached for a sudden family leave by an employee who isn't very productive and for some months has been on the verge of being let go. If her request is not granted, the employer is subject to expensive lawsuits, and she turns

out to be a very expensi.ve employee. Meanwhile, worthy prospective employees on the unemployment compensation line are frozen out of that job.

There is no justice in letting busybody Congressmen set up a one- size-fits-all law to require employers to make the particular personnel choices that Congress decrees. President Bush should veto the anti-family, anti-jobs Family Leave bill.