

Inaccessible Unemployment Insurance: The Unsupported Reality of Low-Income Single Mothers

Mary Carol Mazza
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Professor H. Beckley

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Washington and Lee University

“There tends to be the assumption that unemployment is less important to a woman, to her family, and to society. This impression undoubtedly accounts for the tendency in some quarters to question the eligibility of women for unemployment insurance benefits on the grounds they do not need, do not want, or are not available to work.”

-(An Act)

I. Introduction

In 1998, single mother headed 25 percent of all families with children in the United States. In the six year span between 1993 and 1999, the families maintained by working single mothers jumped from 6.4 to 7.6 million, rising by close to 20 percent (Alstott, 2001). In line with these figures, the Census Bureau predicts over the next decade an increase in the percentage of mother-supported households and a decrease in married couple households (Census Bureau, 1996). While the number of single-mother families rises, their financial stability appears to be one area that might draw further attention. Despite nearly an 80 percent labor force participation rate, the median income of single mothers in 1998 stood at a mere \$22,000. Not surprisingly, in that year close to 40 percent of all single-mother families were classified as poor, with further analyses showing a rising poverty gap within the group (Alstott, 2001). With so many mothers working and with the much touted government benefit system to serve as a safety net, what could be an explanation for this poverty?

Holding part-time low-wage jobs, these single mothers experience more frequent periods of unemployment than the rest of the general population (Williams, 1999). Unemployment itself is not a new topic. The nation's economic growth model assumes unemployment as a "functional necessity to a growing economy" (Williams, 1999, p. 158). As a result, periods of unemployment will continue to occur despite the number of employment barriers that are removed. However, the government developed a system to protect those falling victim to this economic structure: unemployment insurance (Williams, 1999).

While unemployment insurance (UI) would appear to be a proper solution for the

unemployed including unemployed single mothers, historically it has not been a government assistance program that many of these mothers have utilized to weather periods of unemployment. To this end, one study reported that 3 times as many mothers who had been employed at least three months turned to welfare as to UI (Williams, 1999, p. 159). Initially, this might seem incongruous, but a historical analysis of unemployment insurance will provide some explanation for this lack of participation.

II. Analysis of Unemployment Insurance

A. Explanation of UI

When the Social Security Act of 1935 was enacted, one section dealt with the creation of unemployment insurance, a response to the high unemployment rate following the crash of 1929. A joint federal-state program, unemployment insurance provides benefits to unemployed workers “from employer payroll tax reserves in order to provide a temporary wage replacement for workers and a counter-cyclical boost to the economy” (McHugh & Kock, 1994, p. 1422).¹ Yet, it is not a program for all unemployed workers; each state sets its own monetary and non-monetary eligibility criteria which evaluate a worker’s attachment to the workforce, ability and willingness to work, and the extent to which he or she is seeking new employment. As a result of this state control, there initially arose and continues to exist pronounced variations among the states.

Irrespective of this local level flexibility, the UI program in all states generally consists of 26 weeks of support for the involuntarily unemployed regardless of their economic level yet coverage is determined by the amount of earnings and/or hours worked (Williams, 1999). In addition, the federal government may step in to increase aid during

¹ The Keynesian economic theory suggests that supplementing the income of those who have temporarily lost theirs due to poor economic times will hold consumption, aggregate demand, and the economy stable.

times of national economic downturn with bills such as the economic stimulus bill passed on March 9 of this year. The bill provides for roughly 13 additional weeks of coverage for those workers who exhaust their regular benefits and also immediately distributes \$8 billion to state accounts from federal UI trust funds.

In contrast to welfare or relief programs for the needy, unemployment insurance acts as a non-needs-based short-term program with eligibility contingent on labor market attachment. To be eligible for benefits, unemployed workers need not deplete their assets. Instead, UI strives to maintain the unemployed worker's self-respect as well as economic stability until he or she obtains a new job (Williams, 1999). However, the requirements indicating labor market attachment have a history of failing to consider the social and economic issues relevant to the lives of impoverished working mothers (Um-rani & Lovell, 1999).

B. The Historical Exclusion of Women

During the creation of UI in 1934, several coverage limitations initiated by the Ways and Means Committee immediately excluded workers in some female dominated professions. With the exclusion of employees at nonprofit hospitals and religious and educational organizations, the women-friendly professions of teaching, social work and health care were disqualified. Furthermore, in order to bar those in the heavily female canning industry from receiving compensation, the committee determined to extend benefits only to those working 20 weeks or more, as opposed to the initial proposal of 13 weeks (Mettler, 1998).

Labor attachment criteria such as the wage level requirement excluded women workers disproportionately: "a 1940 census showing that 18 percent of experienced female

employees made less than \$199 during 1939, in contrast to 8.8% of experienced men workers made such an amount. Another 17.6 percent of female workers made \$200 to \$399, whereas only 12.5% of male employees made such a low wage” (Mettler, 1998, p.151). Additionally, the available to work criterion presented several problems for women, usually being interpreted as meaning available for full-time work during normal working hours. Moreover, one had to be capable of work, registered at the employment office, considered to be seeking work actively, and willing to accept any “suitable job” so long as it would not present a risk to health, safety, or morals. Yet, many mothers could only seek part-time work or work during certain times of the day due to home responsibilities (Mettler, 1998).

State administrators, exercising quite a bit of discretion, had the final say as to which cases satisfied the criteria. The law included some protections for those in labor unions as well as skilled workers, both of which were comprised of mainly white men. As a result, the cases in which discretion could be employed involved women and black workers (Mettler, 1998).

As a 1940 review of unemployment benefit cases noted, a refusal of work based on "domestic" reasons really depended “upon the views of particular jurisdictions” (Metter, 1998, p. 152-3). In finding a mother ineligible for UI after she quit her night shift work due to losing childcare for her four children, a South Carolina judge “reasoned that the law was not intended to remedy changes in workers' personal circumstances” (Mettler, 1998, p. 152). Essentially, the willingness of states to take into account the influence of women's domestic responsibilities in determining their availability for work varied but at times clearly displayed little sympathy for the dual role of a working single mother (Mettler,

1998). Progressively, states adopted formal measures denying benefits to “domestic quit[ers].” Social norms dictated that women were men’s dependents, and therefore any obstacle to women seeking UI was considered justified (Mettler, 1998).

Then in 1975, as even greater numbers of women were working and continuing to be excluded, the U.S. Department of Labor appealed to the states to “change by legislation the legal inequities between the sexes.” Yet, with the economic downturn in the early 80s, possible improvements with women and UI reached a standstill. While women represented more than 40 percent of the labor force by 1980, the Reagan administration's discussions about insurance for the jobless were characterized notably by their absence of issues affecting women. In overlooking women’s concerns, the efforts to privatize the UI system, lower costs, and increase work incentives all negatively impacted women in their pursuit for equality under the system (Abramovitz, 1996).

Voicing the political rhetoric of the time, President Reagan commented during the 1982 recession that “part of the [reason for] unemployment is not so much recession as it is the great increase in people going into the job markets, and ladies, I'm not picking on anyone, but [it is] because of the increase in women who are working today and the two-earner families and so forth” (Abramovitz, 1996, p. 377). In contrast to the president’s assertion, the restructuring of the economy actually resulted in the loss of work for many women. Meanwhile, the expansion of low-wage, part-time jobs continued in the burgeoning women-dominated service sector, jobs that would keep women outside of the benefit system. Thus, the UI system continued to be unresponsive to the needs of women and their unique work patterns (Abramovitz, 1996).

Two decades after Reagan's statement, the demographics of the worker population continue to evolve while UI remains largely the same. To its credit, close to half of the states have provisions providing UI as a result of certain domestic circumstances. These states have added various clauses to their UI systems, extending benefits to a discretionary category of "compelling and necessitous" individual circumstances or to more specific areas like domestic violence, child care, and illness of family members. Yet, at heart, UI remains a system dedicated to the stereotype that one of its founding father's laid out: "A father who works. A mother who tends the house/ Children who look to mother for care and to father for support." (Isaac Rubinow, *Quest for Security* (1934), in McHugh & Kock, 1994).

C. A New Society and the Changing Composition of the Workforce

In spite of such opinions, the American society in the year 2002 stands in stark contrast to that of 1930s. Cultural shifts and ever-changing societal norms have brought an increasing number of women and mothers into the workforce, a change that has been heralded as the most significant development in the U.S. labor market since WW II. (An Act to Amend, McHugh & Kock, 1994). While women's labor force participation increased from 33 percent in 1948 to 59 percent in 1994, they continued to take on a proportionate amount of unemployment with a mere 27 percent in 1947 growing to 46 percent in 1994 (Yoon, Spalter-Roth, & Baldwin, 1995).² By 2005, women's participation in the labor force is believed to increase to 61.7 percent, while the number of men in the workforce will fall from 74.9 to 72.9 percent (Women in the Workforce.)

² Women's labor force participation increased during these years by a factor of 1.8 while their share of unemployment increased by a factor of 1.7.

The rise of women in the workforce today signals the change in family composition brought about by the rise in the divorce rate and the breakdown of marriages, the greater numbers of single-mothers who are the only supporters of the family, and the growing number of women who are marrying later or remaining single and self-supported (An Act). In the contemporary labor force and society, single mothers are a reality that cannot be ignored. While women constitute 44% of the work force, 80% of women will become mothers and some will carry the double duty of being a working mother (Shut out, Williams, 1999). Some of these working mothers will also be single parents, trapped in low-wage, part-time jobs that provide little hope for advancement and little security in times of unemployment. Under current UI legislation, many do not qualify for UI and often have to resort to forms of welfare.

At this juncture in time, it is not possible to sit by and ignore the problems inherent in the current governing of the UI system, passing those who do not qualify on to other government programs. More specifically, with the time limiting of temporary aid for needy families (TANF), the earliest beneficiaries are being permanently removed from welfare eligibility this year. Policymakers must discuss how and why single mothers are excluded from unemployment insurance and re-evaluate the requirements, recognizing the holes in the current UI coverage and seeking ways to correct this situation immediately.

III. Establishing Attachment to the Labor Market

A worker does not automatically qualify to receive unemployment insurance as a consequence of having been employed; rather, one must meet certain labor attachment requirements that vary by state. This includes having worked a certain number of hours and

earning a certain level of income within a specified period of time. These requirements put low-income, single mothers at a particular disadvantage.

A. Exclusion of Part-Time Workers

Part-time workers, who by definition work fewer hours than full-time workers, are often excluded from receiving UI. Twenty-nine states exclude part-time workers regardless of earnings or whether his or her wages are subject to a UI payroll tax (Um-rani & Lovell, 2000a).³ Historically, the total population of employed workers included only a relatively small portion of part-time workers. Today, however, employers rely more on part-time employees while businesses hire and lay-off part-time workers as needed to increase their profits. A significant part of the economy, part-time workers comprise 17% of the workforce, due in part to the substantial increase in working women and especially working mothers over the last several decades (McHugh, Segal, Wenger, 2002). Women are more likely to opt for part-time work, representing 70% of part-time workers. Women are also more likely to be in these jobs against their will, with a rate of involuntary part-time work 44 percent higher than that for men (Shut out, Handler & Hasenfeld, 1997).

In the past, the rationale for excluding part-time workers from UI eligibility noted that these workers were merely earning supplemental income and not supporting a family. This rationale fails to hold any longer: an average of 24.1 percent of households with a part-time worker are solely supported by that person's income. Moreover, part-time full year earnings represent 91 percent of the income for a family in poverty supported by a single mother (McHugh, Segal, Wenger, 2002). 61.1 percent of single mothers living in poverty worked in some capacity during 2000. (See Appendix: Table 1). In encouraging

³ Twenty other states have favorable policies towards part-time workers, eight treat part and full-time the same, and four permit limited eligibility to part-time workers (Um-rani & Lovell, 2000a).

impoverished mothers to move off welfare dependency and become self-sufficient workers, it is misleading to then not support them in their new working habits, failing to provide protection to them that is available to other workers. These women “should be afforded the protection they have earned and deserve” (McHugh, Segal, Wenger, 2002).

B. Earnings Requirement : Low-Wage and Part-Time

In determining monetary eligibility, most states have a high-quarter earnings requirement, a two-quarter requirement and an overall earnings requirement (Um-rani & Lovell, 2000a). For instance, California requires \$1,300 in the high quarter and New Hampshire calls for a \$1,200 in each of two quarters (Um-rani & Lovell, 1999). An average overall earnings criteria of \$1,681 across the United States includes a low of \$130 in Hawaii and a high of \$3,400 in Florida (Um-rani & Lovell, 2000b). While monetary requirements vary, the criterion requires low-wage workers to work longer hours than high-wage earners to make up for the low wages they receive (Shut out). In nine states, a worker who works half time the entire year with a minimum wage salary would be completely ineligible for benefits, while a worker who works the same hours at \$8 an hour would qualify (Williams, 1999). 15 percent of part-time workers as opposed to 4 percent of full-time workers failed to meet the high quarter earnings requirement in 1995 (Yoon, Spalter-Roth, & Baldwin, 1995).

This evidence supports the lower UI reciprocity rate for workers in low paying jobs in comparison to those in high paying jobs: less than 20 percent of unemployed low-wage workers receive UI while 40 percent of high-wage workers receive UI. Workers in low paying jobs are more likely to be those trying to escape poverty and thus the very workers in need of more protection during times of unemployment. Due to the fact that women hold

60 percent of the low-wage jobs, this earnings requirement again has a disproportionate negative impact on women workers. In addition, in states that allow benefits to part-time workers, those workers, 70 percent of whom are women, must work more hours to meet the earnings requirement. While this does not suggest discontinuing the use of an earnings requirement, it does emphasize that such requirements can restrict UI receipt to “low-wage workers, even those with substantial work histories” (Shut out). Impoverished single mothers with more sporadic work histories and a greater likelihood of being employed in low-wage work are more likely to be monetarily ineligible.

C. Standard base period- Exclusion of Recent Earnings

In addition to an earnings requirement, most states have a specified period of time in which a worker must have accumulated a certain number of working hours and earnings. Most states have a standard base period (SBP), typically defined as all but the last of the five most recently completed calendar quarters, during which hours and earnings may be counted towards UI benefits. This can turn out to be a fairly complicated restriction. For example, for a worker losing a job June 5, 2002, all but seven states would incorporate a SBP that would first exclude all wages earned from April 1 through June 5, since this period qualifies as an uncompleted calendar quarter. Yet, earnings received between January 1 and March 31, 2002 would also be excluded due to the fact that they were incurred during the lag quarter, the fifth of the five most recently completed quarters. In this case, the workers earnings during the past 5 months would be ignored and only earnings from January 1 to December 31, 2001 could be used in calculating earnings eligibility (Williams, 1999).

The SBP tends to deny those who have been in the workforce for shorter periods of time. “Since women are slightly more likely than men to have been in their current job a year or less, this exclusion of recent earnings has a greater impact on women’s UI eligibility, as they move in and out of the workforce more than men” (Shut out). For instance, Florida, a state with many seasonal, migrant, and unskilled workers, requires \$3,400 in earnings in the SBP. If the lag quarter were included, 18 percent more women and only 9 percent more men would qualify. Thus, two times as many more women would be eligible than men (Shut out). In having to deal with child care issues and different shifts, the work of single mothers tends to be sporadic and lends itself to a shorter duration at a place of employment or a short working period in general. Failing to receive “credit” for work in the last completed work period unfairly penalizes those single mothers who are working hard to support their family and escape poverty.

IV. Available for work: Seeking Part-Time Does Not Count

In addition to labor attachment, states require workers to be "able, available, and actively seeking" work and to not turn down a suitable job, areas which someone seeking part-time work might have difficulties complying with under current definitions. In at least 39 states, those that are looking only for part-time work are not viewed as being available for or actively seeking work. The states remain inflexible with regards to personal or domestic circumstances that might cause a single mother to only be able to work part-time. Consequently, many states consider a person to be ineligible who restricts his or her working possibilities to certain hours, days, or shifts, even if this restriction is due to medical conditions or transportation difficulties. Not surprisingly, a single mother looking for part-time work who turns down a full-time job due to her mothering responsibilities is

considered to have "refused suitable work" and found ineligible for UI (Williams, 1999).

Women make up 56.7 percent of all unemployed persons who are seeking part time work (Um-rani & Lovell, 1999a). Low-income single mothers may not be able to search for full-time work; their lives may not be secure enough for that type of commitment. However, they must start somewhere and part-time work is a more manageable way to enter the workforce than full-time work. Single mothers are "able, available, and actively seeking to the extent that they are looking for part-time work, and they should not be disqualified due to their responsibility to care for their children.

V. Involuntary unemployment - An Adequate Reason to Leave

In determining UI eligibility, states investigate why a worker is unemployed; a worker must be unemployed through "no fault" of his or her own in order to receive UI. While requirements are slightly different depending on the state, it is common for states to disqualify those who "quit without good cause, were fired for work-related misconduct, [or] were involved in a labor dispute" (Williams, 1999, p. 160). In the last 15 years, states have continually expanded the boundaries of this criterion, with 38 states placing more weight on the worker's "fault" in confining "good cause" reasons to be only those directly related to the employer (Williams, 1999). Under this case, a single mother who leaves her job due to family obligations- a sick child, lack of child care, a family emergency- is not eligible for UI despite the fact that such circumstances may be beyond her control.

A study performed by the National Commission for Employment Policy discovered that men are usually unemployed due to a layoff or plant closing (26.5 percent of men as opposed to 15 percent of women). In contrast, women tend to face unemployment as a result of family or personal reasons (17 percent of women but only 3.3 percent of men) or

as a consequence of pregnancy or childbirth (an additional 7.5 percent of women as opposed to 0 percent of men) (Williams, 1999).

As women have a higher frequency of entering and leaving the job market due to familial duties such as child care, care for a relative, or pregnancy current restrictions impact women to a greater extent. Furthermore, this interpretation of "good cause" prevents the 25 percent of women who exit the labor force for child care purposes from obtaining UI in 32 states (AFSCME, 1999). In addition, the greater likelihood that a poor woman will experience domestic violence is not taken into consideration, as 31 states will disqualify her for such an excuse (Williams, 1999, Um-rani & Lovell, 2000b). In effect, the states indicate that a single mother faced with child care problems, pregnancy, domestic violence, or sexual harassment does not have "good cause" in leaving her job. The immediate exclusion of these single mothers due to some of these likely reasons for their quitting provides further evidence of the UI system's failure to meet the needs of a significant portion of the contemporary working population.

A. Child Care Policies

Single mothers who work rely on childcare (APA, Making Welfare). In fact, evidence suggests that the number of hours a mother works depends upon the cost and accessibility of child care. Furthermore, these factors are considerable barriers for low-income mothers faced with low-wage jobs and the expenses of childcare (Brooks & Buckner, 1996). For these reasons, a lack of family-understanding policies for low-income mothers may serve to perpetuate employment instability. When the relative who usually takes care of the children cannot come or a child is sick, low-wage mothers who take off work to fulfill their duties as mothers may lose their jobs. These single mothers should not

be penalized for being the main caretaker of their family, yet the low-wage working world makes few concessions. A recent investigation revealed that 57 percent of low-income parents have difficulty taking time off to deal with family issues, 24 percent lack access to health insurance, and sixty-four percent with children under six reported that they do not have access to paid time off to attend to sick children (Galinsky and Bond, 2000, Um-rani & Lovell, 2000b). This work inflexibility often results in a mother losing her job, and UI provides no support in cases such as this.

One very real obstacle to sustaining employment involves acquiring childcare during the non-traditional times in which poor mothers must work. For the one-third of low-income working mothers who work weekends, finding proper child care can be difficult; only 10 percent of child care centers and 6 percent of family day care homes are open on weekends. In addition to weekend workers, the 8 or 9 percent that work evenings or nights face a similar difficult: a mere 3 percent of child care centers and only 13 percent of regulated family day care homes are available during those shifts. Thus, roughly 40 percent of working poor mothers face an obstacle in just finding a child care center that is open, excluding cost and quality concerns. Additionally, those poor parents who work schedules that frequently change, close to 50 percent, are faced with an even larger challenge in finding stable childcare (Do Child Care). A relative, usually a grandmother, provides roughly 45 percent of the primary childcare for poor, single working mothers.⁴ The inconsistency of informal care, the most common type of care used by welfare recipients, may jeopardize work efforts and force women to resign from their jobs (Um-rani & Lovell, 2000a). It is little wonder that childcare dictates a poor mother's work habits.

⁴ .However, roughly a third of these grandmothers are working themselves, juggling a different shift from their daughters in order to maintain care and income.

As states continue to disregard the distinct burden that the lack of childcare represents, denying it as a "good cause" for leaving a job, low-income single mothers will remain in a financially precarious position, dependent on an area in which they have little control. For single mothers receiving welfare, the high cost of childcare must be weighed against the benefits derived from employment. One study of AFDC recipients found that working mothers spent \$1.86 per hour of employment, 34 percent of their total earnings, on child care (Spalter-Roth et al., 1995).⁵ The availability, cost, and consistency of good childcare must be taken into account for these poor single mothers, who must protect their children while also providing for them. An unemployment insurance system that disregards this main area of low-income mothers fails to provide for the needs of the changing workforce.

B. Pregnancy

Pregnancy poses several difficulties for low-income single mothers. First, mothers must take a certain amount of time off of work. Yet, with few low-wage, unskilled jobs available, there may be plenty of workers standing in line to take the job. While the Family and Medical Leave Act of 1993 (FMLA) provides new mothers with twelve weeks of unpaid time off from work, FMLA does not offer replacement income, therefore being of little help to many poor single mothers who must maintain some form of revenue. In addition, FMLA only covers about half the workforce as it is limited to business employing fifty or more (APA, Making Welfare, Albelda & Tilly, 2001).

⁵ AFDC, Aid to Families with Dependent Children, was replaced with TANF in 1996. This finding is another indication of the low-wages that impoverished single mothers receive. After paying for childcare, the amount they take home is so small that it is little wonder that they must receive some form of welfare to even hope to make ends meet.

However, these are the very women who cannot afford to leave work for a period of time much less lose their job. While working women who give birth lose around \$14,000 in wages as compared to those who do not have babies, those poor women who do not receive leave lose an additional \$1,100 more as their job is not guaranteed and they tend to face more unemployment (Um-rani & Lovell, 2000a). Families that depend on a mother's earnings will have a hard time making ends meet without income from a job; the additional expense of the new child only adds to the burden.

For years, leaving a job due to pregnancy was considered a voluntary leave, lacking good cause. However, "Federal law [26 U.S.C. section 3309 (a)(12)], ... provides that 'no person shall be denied compensation under...state law solely on the basis of pregnancy or termination of pregnancy'" (Skulnik, 1982). Pregnant women are eligible for UI under the same rules that apply to other people. That is, after giving birth, the mother must be willing, able, available, and actively seeking work (FAQ, New York).

Yet, pregnancy is not an open and shut case at this point. Title VII of the Civil Rights Act of 1964 requires employers to treat pregnancy as a disability but does not protect the mother's job. When she returns to work, she may be denied her job but allowed to receive UI (Glavinovich, 1996). However, if she voluntarily left her job while pregnant but had still been able to perform the job at that time, she may be ineligible for UI benefits (FAQ, New York).

The laws governing pregnancy are confusing and may appear somewhat contradictory. Many women do not know their rights and limitations. Poor single mothers are likely to need to spend some time off from work to make adjustments for the new baby, but these women can not afford to sacrifice their earnings. A bill in Maryland's House

proposed extending eligibility for UI coverage to those voluntarily leaving work after the birth of a child to care for the new baby. The bill received an unfavorable report on March 22, 2000 and died in the house (House Bill 983). Pregnancy remains a matter for which current UI eligibility requirements do not adequately account. Pregnancy is a normal life process, necessary for the continuation of humankind. “A workplace that does not provide for pregnancy in the normal course of employment is organized around male reproductive norms, reflecting a social judgment that women's necessary role in the human reproductive process is incompatible with employment, as society chooses to define it” (Glavinovich, 1996).

C. Domestic Violence

Poor women face a higher likelihood of intimate violence than women in the general population according to the National Crime Victimization Survey (APA, Making Welfare). 63 percent of homeless and low-income housed mothers in a study of 463 women reported being assaulted by intimate male partners (APA, Making Welfare). Evidence shows that battering results in negative physical and mental health for the victim that can reduce her employability or inhibit her success in the workplace (Raphael, 2001).

Research has shown that violence is directly correlated with activities that prevent poor women from holding steady employment and that weaken her ability to attain self-sufficiency (APA, Making Welfare). One study reported that incidence of battery caused battered women to miss work in 55 percent of the cases, to be tardy or leave early 62 percent of the time, and to experience harassment from the abuser while at work in 56 percent of the occasions (APA, Making Welfare). The National Workplace Resource Center on Domestic Violence indicates that close to 75 percent of victims are harassed by

their batterer while at work (Um-rani & Lovell, 2000). For 33 percent of the battered women, the abuser prohibited them from working and 21 percent were not allowed to look for work. In the end, weak job performance or poor attendance or the need to seek safety cost 24 percent of battered women to lose their jobs (APA, Making Welfare).

The excuse of “voluntarily” quitting work due to domestic violence prevents single mothers from receiving UI in 34 states. If an abuser continues to prevent a woman from participating in the labor market, she may also be disqualified from UI due to the fact that she is not “seeking” employment or “willing and able” to accept full-time work. Batterers may employ a whole host of destructive and deceptive behaviors to harm the woman’s labor prospects such as failing to provide promised childcare, allowing her to receive training but then preventing her from working, or battering her so that she physically cannot work (Um-rani & Lovell, 2000).

Under consideration since October 28, 2000, the Battered Women’s Employment Protection Act is pending Congressional approval. The act would amend the Social Security Act and the Family Medical Leave Act, providing UI to women who must leave work or quit their job due to domestic violence (Battered Women’s). In addition, the Act proposes that women be considered as seeking work if they are looking for safety, counseling, or legal solutions (Um-rani & Lovell, 2000a).

D. Sexual Harassment

While sexual harassment is included in Title VII of the Civil Rights Act of 1964 as a form of sexual discrimination and considered illegal in the workplace, the outdated policies of UI do not recognize sexual harassment as being a “good cause” for leaving work. Sexual harassment refers to any unwanted repeated, sexual attention in the workplace. The U.S.

Equal Employment Opportunity Commission describes sexual harassment as “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature ...when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment” (EEOC, 1997).

Single mothers who depend upon their jobs to support their families may be fearful of quitting when they can not receive unemployment insurance due to sexual harassment. For this reason, a woman's rights in the workplace must be protected - a single mother should not have to be subjected to sexual harassment or unsafe working conditions while working to support her family (An Act). Unemployment insurance needs to be extended to cases of employee subjugation to sexual harassment, which is clearly no fault. An impoverished single mother's status as being in need of work and money should not force her to work under such conditions in which a wealthier woman or one in a two-parent home could afford to avoid.

VI. The Threat of Certain Time Periods

A. Period of Disqualification

When a worker quits his or her jobs, he or she is ineligible for UI. However, under the original legislature, these "at fault" workers were only ineligible for a certain period of time. After that time had passed, they were considered eligible provided they were looking for a job and met the other qualifications. States recognized the problems that the economic structure and circumstances might pose and determined that voluntary unemployment should be considered involuntary after a certain period of time of continued job search (Williams, 1999).

However, under today's UI practices, all but 5 states completely disqualify a person for the entire duration of unemployment as a result of voluntarily quitting a job. Moreover, all but 13 states treat a worker who refuses a suitable job in the same manner. In recalling the states' definition of voluntarily leaving work and the states' evaluation of suitable work, the double injustice that single mothers face with these policies is evident. Not only may a single mother leave or refuse work for reasons that should already be considered reasonable, but she may also be denied UI the entire time she is unemployed despite labor market problems. Single mothers are not likely to be able to continue looking for a job without some financial support, much less for a long duration of time. An indefinite period of disqualification places single mothers and their families at great financial risk due to the imperfections of the economy, which are not the fault of single mothers.

B. Period of Waiting

UI claimants must wait a certain period of time between filing for UI benefits and receiving those benefits. This waiting period varies by state but is longer than the amount of time needed to process the claim. The time period actually represents a poorly founded approach by UI offices to avoid some extra work. States make two assumptions in employing such a tactic. First, they believe that unemployment is generally an avoidable, short-term phenomenon, and if benefits are delayed, claimants may choose to remain in their current job or find new employment (An Act). In this way, the UI office saves on the processing and retains the benefits that it would have given out (needlessly) to the claimant. As the UI system allows states to spend money in the way in which they choose, states are necessarily concerned with everything from the processing fees incurred to the amount and duration of payment. However, states must recognize that UI is an entitlement program,

with unemployed workers "deserving" to receive the money since they are not longer receiving the earnings from a job. Single mothers are all the more in need of these entitlements immediately, as their expenses for children continue regardless of whether the mother is working or not.

Secondly, states assume that the unemployed workers have savings that will cover them until they can secure a new job or receive benefits (An Act). This belief proves detrimental for low-income single mothers who are forced to live from one paycheck to the next. Many of these single mothers in low-wage jobs cannot even support their family with the pay from their main job, much less afford to set aside money for savings (Edin & Lein, 1997).

Not only does this illustrate the extent to which UI runs askew from the populations it should be helping, but this waiting policy also appears contrary to the purposes of the program. UI was never intended to be a means tested program like welfare. Yet, with this belief about savings, UI seems to expect a worker's savings to be depleted in order to endure the arbitrary waiting period (An Act). When single mothers apply for UI, they have been unemployed through no fault of their own and should not have to struggle to make ends meet while the UI office waits to see if they are really in need. A single mother's life will be disrupted enough in worrying about finding a new job. She does not need the added stress of wondering when or if her UI claim will be filled.

C. Period of Benefits

The period in which an unemployed worker receives UI is linked to the amount of time he or she has been employed, the number of hours worked, and the level of earnings received. For single mothers, whose employment is usually intermittent in part-time, low-

wage work, the benefits are likely to be very low. Women on average earn \$42 less than men receive each week on UI, with benefits for some women as low as \$5 (Um-rani & Lovell, 2000a). This paltry level and length of benefits makes welfare seem more worthwhile. The very definition of the level and period of benefits indicates that those in the types of jobs in which single mothers are employed are more likely to receive small amounts for a short period of time. Ultimately, such benefits may not prove very helpful in breaking the fall from the world of employment. In this way, UI may fail to serve its purpose.

VII. Recommendations

As this report suggests, the unemployment insurance system is failing to keep up with the changing composition and trends of the workforce, placing significant barriers towards eligibility for low-income single mothers. The current UI system appears to be full of inequity and inflexibility, based on a time long since passed (McHugh & Kock, 1994). For UI to be effective, it must meet the needs of the new and emerging workforce rather than blatantly excluding sectors of the population based on income level, gender, marital status, or the like.

Value judgments about the existence of single mothers in society are irrelevant in the current policy discussion. Politicians and policymakers may desire to make certain lifestyles unattractive to prevent their continued occurrence. To that end, they may erect policies that make such lives difficult and burdensome. However, many circumstances lead to these women becoming impoverished, single mothers and casting blame in time of need merely wastes energy. The fact of the matter is that single mothers exist in the United States and UI does not meet their needs.

Many areas of UI need improvement such as those dealing with labor attachment and voluntary unemployment. Since part-time work serves as a necessary part of the workforce for both employees and employers, UI must be made more part-time worker friendly. Those seeking part-time work ought to be considered seeking work since they are, in fact, seeking work. Not everyone can or should work a full-time job since there are many jobs that are needed for only part-time. Additionally, perhaps separate earnings and hours requirement for part-time workers could be determined that would be comparable to the effort that a full-time worker puts forth. In addition, adopting an alternate base period, allowing the lag quarter to be counted, would be less exclusionary towards those with more irregular work.

As domestic circumstances and personal issues interfere with a woman's work, UI should be more flexible, realizing that leaving work due to a crisis is not the same as choosing to go home and watch television all day. Low-income, single mothers may lead more hectic lives than most people, but they are also more likely to have less support than others. For this reason, UI must be more aware of the complex lives these women juggle and try to take into account her intent and motive in leaving work. A low-income mother should not be penalized for doing what is best for her child.

In considering the various time periods related to UI, these periods must be reevaluated as time is precious to a low-income single mother. With little or no savings and constant expenses for children, the amount of time between filing a claim and receiving it becomes one of urgency. The arbitrary waiting period must be removed, as it is a disservice to all applying for UI benefits- workers who deserve their entitlements. Furthermore, the period of receiving benefits ought to be extended under certain conditions

in order to aid a single mother who continues to look for work. In addition, the period for disqualifying a worker who voluntarily quits must be reviewed in light of the tight market structure with few low-wage and unskilled jobs to be found. Workers file fewer claims for UI now than ever before, illustrating the weakness of the program. If it really is to produce a counter-cyclical boost to the economy, workers must believe in the system and decide to use it.

Furthermore, the across states requirements should be more standardized and relatively equal. For example, a worker in Florida should not have to work more hours or earn more than a worker in Alabama does owing merely to a different state of residence. This would reduce the numbers of single mothers that do not receive benefits in some states as opposed to others. However, earnings requirements may vary due to wage rates in certain areas and the cost of living in different regions of the country.

In initiating these changes, one thing must be taken into account. Improvements in UI, while greatly needed, will not solve a central problem that low-income single mothers face. The fact still remains: single mothers working in low-income jobs or part-time receive very small salaries, often failing to cover all the family's expenses. In 1978, a working mother could support two children and remain above the poverty line. The same mother today would be 18% below the poverty line. Due to the fact that the minimum wage has failed to keep up with inflation, real wages of a low-income workers have fallen substantially. Changes in UI will not remedy the fact that low-income work does not pay a wage on which a single mother can support her family. If we, as a nation, are committed to reducing welfare recipients and moving people into the workforce, work must pay. Raising the earnings that a mother makes on a regular basis will raise the level of protection that UI

provides her in times of unemployment. Until such a change takes place, single mothers who work in low-wage jobs will continue to be worse off than those on welfare (Edin & Lein, 1997).

It appears especially important to review UI reform in the context of the larger welfare state, recognizing that impoverished single mothers have a choice between work and welfare. Welfare programs might be better equipped to serve as a reemployment system than UI, providing more protection to single mothers. Many of the unique difficulties that poor single mothers face, like lack of proper and inexpensive child care, are outside the scope of UI. However, within the welfare system, there are support programs providing child care subsidies, transportation services, and even counseling services. Furthermore, benefits and services that support employment among working mothers are not considered assistance and do not count against a families time limited use of TANF (Schott, Lazere, Goldberg, & Sweeney, 1999).

In determining the ways in which UI must be reformed, other cash assistance programs must be evaluated in order to establish which best provides for poor single mothers during times of inevitable unemployment (Williams, 1999). There remains little doubt that the outdated UI must be improved in order to meet the needs of the contemporary workforce. "Excluding workers who are most likely to be vulnerable in the new labor market environment threatens the legitimacy of the UI system" (Yoon, Spalter-Roth, & Baldwin, 1995). However, the extent of these changes will depend upon the efficiency that may come about from utilizing pre-existing programs in the welfare system. These programs must support impoverished single mothers in their efforts towards self-sufficiency through paid labor.

Appendix

Table 1: Work Experience of Single Mothers Living in Poverty in 2000 (Below 100% of the Federal Poverty Line)				
	All Children	< 12 Months	Ages 1 to 5	Ages 6 to 17
Weighted N (in millions)	3.2	.4	1.4	1.4
Total (%)	100.0	100.0	100.0	100.0
Not Working for Wages (%)	38.9	49.7	37.5	37.6
Working Any Time in Year (%)	61.1	50.4	62.6	62.4
Average hours of work	23.2	12.5	22.4	26.1
Worked less than 50 wks/ yr (%)	33.2	41.1	36.6	28.0
Average hours of work	16.9	10.1	17.0	19.1
Worked 50 or more wks/ yr (%)	28.0	9.3	26.0	34.4
0- 29 hrs/ wk (%)	8.4	4.3	8.2	9.6
30 or more hrs/ wk (%)	19.5	5.0	17.8	24.8
40 or more hours/ wk (%)	13.8	4.2	12.9	17.1
Average hours of work	30.8	23.4	30.0	31.8

Source: Institute for Women's Policy Research analysis of the 2001 Current Population Survey, March Demographic Supplement.

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Washington and Lee University