



## IBI BENCHMARKING ANALYTICS

*IBI members occasionally request information about disability leaves that is not included in the standard benchmarking reports. When IBI can provide an answer that may be of interest to other members, we make the results available in a series of analytic findings.*

### ARE MORE NEW FATHERS TAKING FMLA LEAVE FOR BONDING?

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#### Background

In July 2014, the Equal Employment Opportunity Commission (EEOC) ruled that paid parental leave is separate from medical time off for childbirth and that employers that offer paid parental leave must do so for men and women on equal terms (sometimes referred to as the parity rule). This may partly explain why many companies announced expanded parental leave benefits in 2015 and 2016.<sup>1</sup>

Since many companies run their Family and Medical Leave Act (FMLA) leaves concurrently with other time-off benefits, an IBI member asked whether more men have taken FMLA leaves for bonding with a newborn or newly adopted child ("bonding" leaves).

#### Summary Findings

- The incidence rate of bonding leaves since the EEOC ruling in 2014 is similar to rates observed prior to the ruling.
- The share of men taking FMLA leave to bond with a new child increased by 50% over the period 2013 to 2017. Importantly, the increase began after 2014, which is consistent with the argument that the EEOC rule encouraged employers to enhance parental leave benefits in ways that made time off more attractive for men.

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<sup>1</sup> Gifford, B., Zong, B. and Presutti, J, "... And Baby Makes Three (Months Off): Paid Parental Leave at 15 High Technology Firms, August 2016, Integrated Benefits Institute. < <https://www.ibiweb.org/and-a-baby-makes-three-months-off-paid-parental-leave-at-15-high-tech-firms/>>

- A counterargument that men generally increased their FMLA leave-taking relative to women is not supported. The share of men taking leave for their own or a family member's health condition has increased by only about 3% since 2014.
- The increase in fathers' bonding leaves may also be influencing FMLA duration patterns among new mothers. Bonding leave durations have decreased since 2015 for both men and women, but the decline among new mothers has been greater. This may indicate that new parents are balancing their time away from work, with women taking shorter leaves as more men use job-protected time off for bonding.

## Data

We use FMLA leave claims contained in [IBI's disability benchmarking system](#), data years 2013 to 2017. The analysis is based on 4.1 million leave records from 7,300 employers with FMLA leaves managed by 10 of the largest U.S. absence management firms.

We first report annual incidence rates for different types of FMLA leaves.<sup>2</sup> We then analyze the proportions of men and women taking FMLA leaves to bond with a newborn or newly adopted child. Our analysis is limited to new claims (that is, those that were approved within the data year). To assess the counter argument that men have generally been taking more FMLA leave, we also examined the male/female ratio of leaves taken for an employee's own serious health condition ("own health" leaves) and leaves taken to care for a family member with a serious health condition ("family" leaves).

We also examined duration of FMLA leaves for bonding (in lost workdays) to assess whether the EEOC parity rule influenced patterns of leave-taking among men and women.

## Results

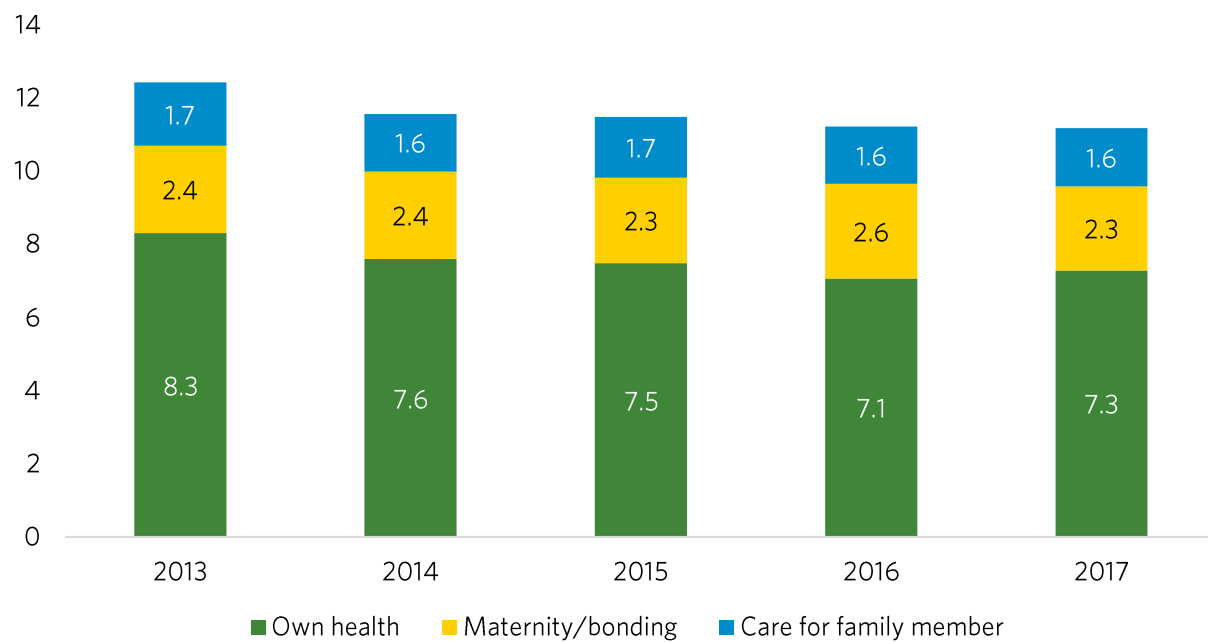
### LEAVE RATES HAVE REMAINED STABLE SINCE THE EEOC RULING

Figure 1 shows that overall new FMLA leave incidence has remained steady from 2014 to 2017, with the slight decrease primarily due to reductions in "own health" leaves. The incidence rate of bonding leaves since the EEOC ruling in 2014 is similar to rates observed prior to the ruling.

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<sup>2</sup> For the purposes of this analysis, leave incidence rates were calculated by summing eligible employees and new leaves for each data year. This differs from the method used in IBI FMLA Industry Summary Reports, where incidence is calculated on an employer-by-employer basis and aggregated by industry.

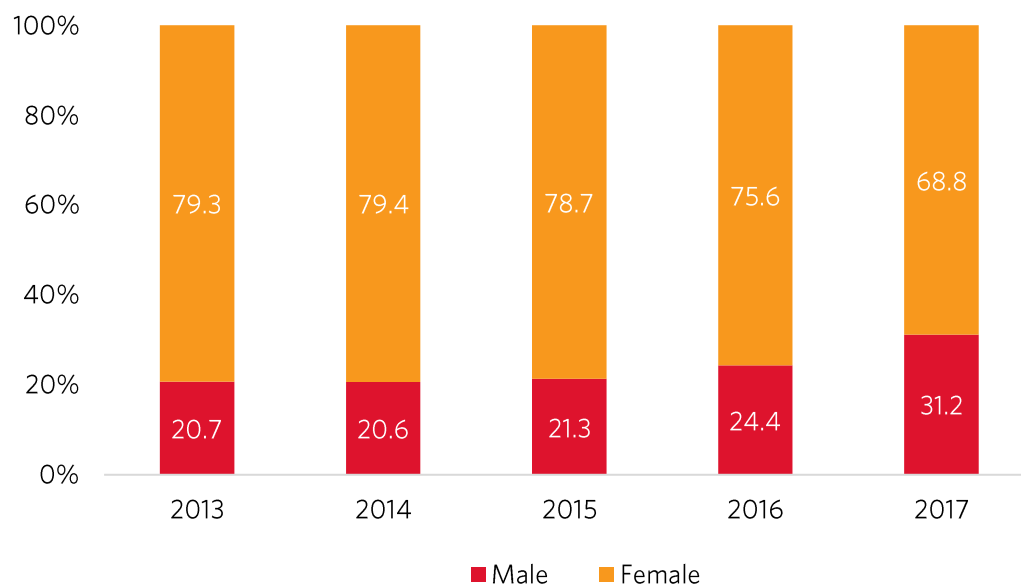
Figure 1: New leaves per 100 eligible employees, 2013 to 2017.



#### MEN ARE TAKING MORE FMLA LEAVES—BUT ONLY FOR BONDING

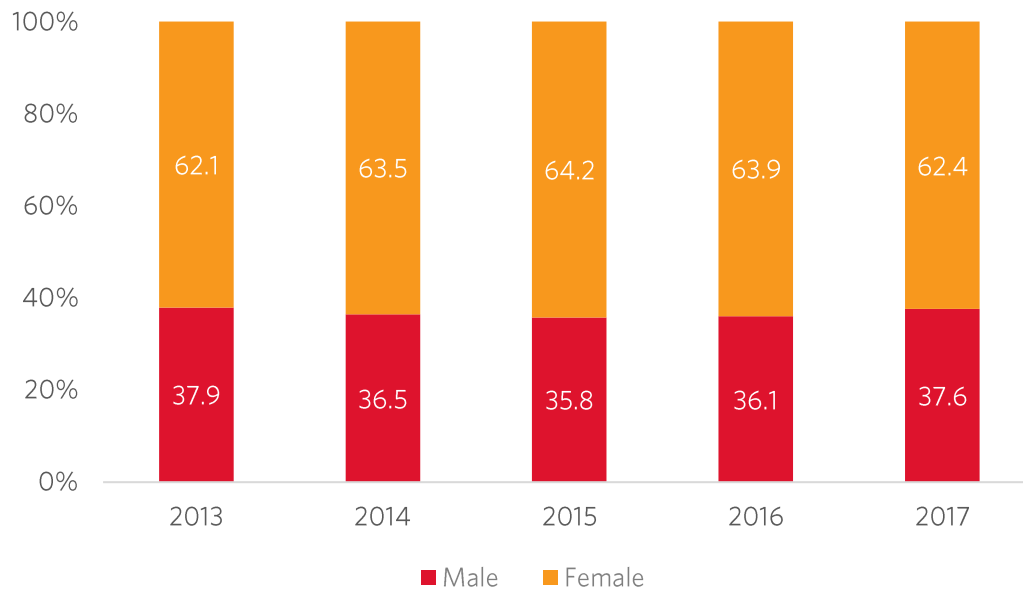
Figure 2 shows that relative to women, the share of men taking FMLA leave to bond with a new child increased from 2013 to 2017—with the entirety of the increase occurring after 2014. From 2013 to 2015, one in five bonding leave claimants were men. By 2017, one in three were men (a 50% increase from 2014).

Figure 2: Shares of men and women taking FMLA bonding leave, 2013 to 2017

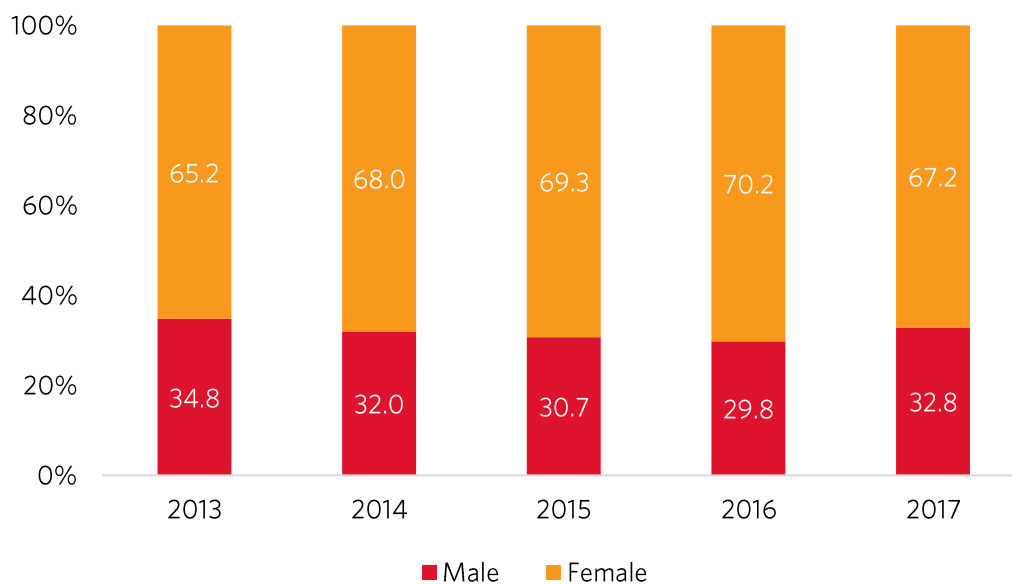


By contrast, the share of males taking FMLA leave for their own or a family member's serious health condition has been relatively stable. Figure 3 shows that the share of males taking leave for their own health condition has increased by just 3% since 2014. Figure 4 shows a similar pattern for leaves taken to care for a family member.

**Figure 3: Shares of men and women taking FMLA leave for their own health condition, 2013 to 2017**



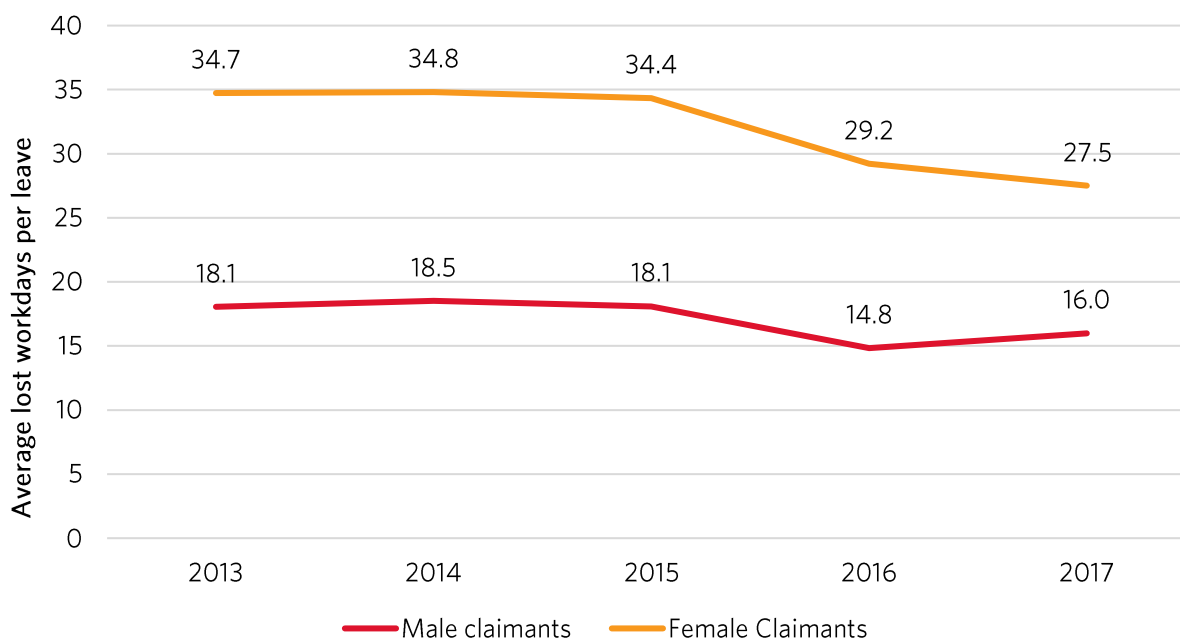
**Figure 4: Shares of men and women taking FMLA leave for a family member's health condition, 2013-2017**



## WOMEN ARE RETURNING FROM BONDING LEAVE SOONER

Figure 5 shows that average bonding leave durations remained essentially flat for both men and women between 2013 and 2015 and declined sharply in 2016. Average durations rebounded somewhat for male claimants in 2017 but continued to decline for female claimants.

**Figure 5: Average FMLA bonding leave durations for male and female claimants, 2013-2017**



## Conclusion

The findings are consistent with the expectation that the EEOC parity rule encouraged the enhancement of parental leave benefits in ways that made time off more attractive for men.

While further investigation is needed, one reasonable explanation for the observed decrease in average bonding leave durations from 2015 to 2017 is that as more men gain access to parental leave benefits, there may be an increase in shared maternity/bonding leaves among partners. An increase in both parents taking leave due to the birth or adoption of a child could account for the observed duration decreases—particularly for female claimants who have traditionally been bonding leave takers—as balancing leaves would allow for an earlier return to the workforce.

*Analysis conducted September 2018 by Skyler Parry, Program Director, and Rico Lin, Data Analyst, IBI.*