

AMERICAN MEDICAL ASSOCIATION WOMEN PHYSICIANS SECTION

Resolution:2

Introduced by: Women Physicians Section

Subject: Addressing Maternal Discrimination and Support for Flexible Family Leave

Referred to: Reference Committee _____
(_____, Chair)

1 Whereas, Findings from a study by Adesoye, Mangurian, Choo et al. on physician mothers and
2 their experiences with workplace discrimination indicated that 77.9% of the respondents
3 experienced some form of discrimination;¹ and

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5 Whereas, Of these respondents, 66.3% of physician mothers reported experiencing gender
6 discrimination and 35.8% reported experiencing maternal discrimination, which is defined as
7 self-reported discrimination based on pregnancy, maternity leave, or breastfeeding;¹ and

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9 Whereas, Employment laws, such as the Pregnancy Discrimination Act and the Title VII of the
10 Civil Rights Act of 1964, protects individuals from discrimination based on protected class such
11 as, sex, gender and pregnancy;² and

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13 Whereas, The Fair Labor Standards Act includes some breastfeeding protections and
14 requirements for maternity leave but no protections for any additional leaves dealing with
15 parenting needs ;³ and

16
17 Whereas, The Families First Coronavirus Response Act (FFCRA or Act) provides employees of
18 covered employers two weeks of paid sick leave at the employee's regular rate or two-thirds the
19 employee's regular rate of pay and up to an additional ten weeks of paid expanded family and
20 medical leave at two-third of the employee's regular rate;⁵ and

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22 Whereas, The FFCRA does not provide coverage protections for physicians and other frontline
23 workers as it specifically excludes health care providers and emergency responders;⁵ and

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25 Whereas, Maternal discrimination was associated with higher self-reported burnout (45.9% in
26 physicians experiencing maternal discrimination compared to 33.9% burnout in those not
27 experiencing maternal discrimination) even prior to the pandemic;¹ and

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29 Whereas, Findings from a study by Templeton, Bernstein, Sukhera, et al. noted that women
30 who are employed full time spend an additional 8.5 hours per week on childcare and other
31 domestic activities which was before the demands of virtual schooling and homeschooling;⁴ and

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33 Whereas, Homeschooling rates have more than tripled during the pandemic due to educational
34 needs and health concerns;⁶ and

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36 Whereas, Across the country almost two-thirds of parents say their children have switched to
37 online learning which requires adult supervision;⁷ and

1 Whereas, Mothers of young children have lost four to five times as many work hours compared
2 to fathers in the pandemic due to women taking on the majority of childcare responsibilities;⁷
3 and
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5 Whereas, Male physicians are increasingly expressing interest in flexible family leave and work
6 options, yet female physicians continue to bear primary responsibility for caregiving and may
7 face more challenges in aligning their career goals with family needs; and
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9 Whereas, Conflicts between work and life responsibilities, which have been exacerbated due to
10 the pandemic, can have adverse consequences for women physicians, leading to further
11 discrimination; and
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13 Whereas, AMA Policy H-405.954, Parental Leave, supports the establishment and expansion of
14 paid parental leave; calls for improved social and economic support for paid family leave to
15 care for newborns, infants and young children; and advocates for federal tax incentives to
16 support early child care and unpaid child care by extended family members; therefore be it
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18 RESOLVED, That the AMA encourage key stakeholders to implement policies and programs
19 that help protect against maternal discrimination and promote work-life integration for physician
20 parents, which should encompass prenatal care, parental leave, and flexibility for childcare.
21 (Directive to Take Action); and be it further
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23 RESOLVED, That the AMA urge key stakeholders to include physicians and frontline workers in
24 the Families First Coronavirus Response Act as well as other legislation that provide protections
25 and considerations for paid parental leave for issues of health and childcare. (Directive to Take
26 Action)

Fiscal note: Modest - between \$1,000 - \$5,000

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RELEVANT AMA POLICY

[Policies for Parental, Family and Medical Necessity Leave H-405.960](#)

[Support of Human Rights and Freedom H-65.965](#)

[9.5.5 Gender Discrimination in Medicine](#)

References:

1. Adesoye T, Mangurian C, Choo EK, et al. Perceived Discrimination Experienced by Physician Mothers and Desired Workplace Changes: A Cross-sectional Survey. *JAMA Intern Med.* 2017;177(7):1033-1036.
2. U.S. Equal Employment Opportunity Commission. Available at <https://www.eeoc.gov/laws/types/>. Accessed 3/2/2020.
3. Section 7(r), Fair Labor Standards Act - Break Time for Nursing Mothers Provision. Available at <https://www.dol.gov/agencies/whd/nursing-mothers/law>. Accessed 3/2/2020.
4. Templeton K, Bernstein CA, Sukhera J, et al. Gender-Based Differences in Burnout: Issues Faced by Women Physicians. Available at <https://nam.edu/gender-based-differences-in-burnout-issues-faced-by-women-physicians/>. Accessed 3/10/2020.
5. Families First Coronavirus Response Act: Employee Paid Leave Rights. Available at <https://www.dol.gov/agencies/whd/pandemic/ffcra-employee-paid-leave>
6. Eggleston C, Fields J. Census Bureau's Household Pulse Survey Shows Significant Increase in Homeschooling Rates in Fall 2020. <https://www.census.gov/library/stories/2021/03/homeschooling-on-the-rise-during-covid-19-pandemic.html>

7. Henderson T. Mothers Are 3 Times More Likely Than Fathers to Have Lost Jobs in Pandemic. Pew Stateline Article. 9/28/2020. <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2020/09/28/mothers-are-3-times-more-likely-than-fathers-to-have-lost-jobs-in-pandemic>