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

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

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

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

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

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

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

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

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

Whereas, Across the country almost two-thirds of parents say their children have switched to online learning which requires adult supervision;⁷ and
Whereas, Mothers of young children have lost four to five times as many work hours compared to fathers in the pandemic due to women taking on the majority of childcare responsibilities; and

Whereas, Male physicians are increasingly expressing interest in flexible family leave and work options, yet female physicians continue to bear primary responsibility for caregiving and may face more challenges in aligning their career goals with family needs; and

Whereas, Conflicts between work and life responsibilities, which have been exacerbated due to the pandemic, can have adverse consequences for women physicians, leading to further discrimination; and

Whereas, AMA Policy H-405.954, Parental Leave, supports the establishment and expansion of paid parental leave; calls for improved social and economic support for paid family leave to care for newborns, infants and young children; and advocates for federal tax incentives to support early child care and unpaid child care by extended family members; therefore be it

RESOLVED, That the AMA encourage key stakeholders to implement policies and programs that help protect against maternal discrimination and promote work-life integration for physician parents, which should encompass prenatal care, parental leave, and flexibility for childcare. (Directive to Take Action); and be it further

RESOLVED, That the AMA urge key stakeholders to include physicians and frontline workers in the Families First Coronavirus Response Act as well as other legislation that provide protections and considerations for paid parental leave for issues of health and childcare. (Directive to Take Action)

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

Received: 3/30/2021

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: