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PATERNITY LEAVE: A FATHER'S RIGHT

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*"To the world he is a
father, to our family
he is the world."*

The importance of the role of a father in a family is undoubtedly vital, especially for the holistic development of a child. However, for many fathers, the absence of statutory paternity leave (a leave period reserved for fathers in relation to childbirth or leave that can be used exclusively by fathers) laws in Malaysia have prevented them from being actively involved in infant care.

Paternity Leave Policies in Malaysia

In Malaysia, the Pekeliling Perkhidmatan Bilangan 9 Tahun 2002 bill entitles civil servants to seven days of paid paternity leave. Conversely, employers in the Malaysian private sector are not required to offer the same benefit to their male employees since mandatory paternity leave laws

have not been established. As a result, several organizations like the Malaysian Trade Union Congress (MTUC) and the Women's Aid Organisation (WAO) have sanctioned the provision of paid paternity leaves. In 2019, the former Deputy Human Resource Minister in Malaysia, YB Mahfuz Omar, proposed to legislate three days of paid paternity leave under the Human Resources Ministry's bill which received support from the former Deputy Women, Family, and Community Development Minister, YB Hannah Yeoh; however, the policy remains to be implemented.

Paternity Leave and its Significance

There are several tangible benefits when fathers take paternity leaves. These include strengthened familial relationships, increased workplace productivity, and improved work-life balance (Sharma, 2021). Furthermore, paternity leaves enable women to participate actively in the workforce and have the potential to bridge the gender gap, thus empowering women.

a) Impacts on the Family Unit

The provision of paternity leave policies significantly influences the family unit. For instance, working fathers are

able to engage in routine household tasks, thus reducing the level of conflict over household division of labour (Katsadam and Finseraas, 2011). Additionally, couples are less likely to separate if the father takes more than two weeks leave to look after their first child, thus reducing the rising divorce rates in Malaysia (Olah, 2001). In the event of a separation, higher uptake of paternity leaves is linked to increased contact with children after the split (Duvander and Jans, 2009), which will cushion the psychological shock experienced by the child.

Moreover, Dex and Ward (2007) highlight that fathers who do not exercise their paternity leave rights or share childcare responsibilities, negatively affect the developmental growth of their child. Huerta (2013) concurs with this reasoning citing that a child is more likely to perform better in cognitive development tests and be better prepared for school between the ages of four and five when fathers are granted longer paternity leave. This highlights the importance of the implementation of paternity leave policies for the mental growth of the child.

Additionally, mothers are substantially impacted when fathers take paternity leave. For example, postpartum depression among mothers is greatly reduced when fathers take paternity leave (Séjourné et al, 2012; Redshaw and Henderson 2013), thus improving the well-being of mothers. Besides, shared responsibility to care for the newborn alleviates the mother's burden and allows them to pursue a career, personal interests and/or to rest (Circle In, 2021), hence supporting their physical and mental health.

b) Impacts on Gender Equality

While it is unlikely to discover an overarching solution for gender inequality, paternity leave can bridge the gender gap. By providing working fathers paternity leaves, companies promote strengthened familial relationships and enable mothers to return to work sooner (Sharma, 2021) thus, narrowing the gender gap. According to a 2021 article published on Circle In, fathers who are given paternity leave at the workplace present their female partners with

opportunities that enable them to fully engage in their careers. Consequently, increased women's participation in private firms could potentially change the trajectory of women's time spent on market activities (Amin, Islam and Sakhonchik, 2016), and this significantly alters the narrative on women in the labour market.

Challenges to Implement Paternity Leave Policies

As with other employment policies, **funding** presents a challenge when implementing paternity leave policies. Datuk Shamsuddin Bardan, executive director of the Malaysian Employers Federation (MEF), stated that enforcing three days of paid paternity leave will result in a total loss of RM157.2 million (RM 52.4 million a day). If extended to a month as proposed by the MTUC, assuming the father earns an average salary of RM2,800 a month, an entire month of paid paternity leave will lead to a loss of approximately RM 1.4 billion to the Malaysian economy.

A viable solution to this predicament involves the government and/or the employer bearing the wage burden of paid paternity leaves. The MEF suggested that government agencies such as the Social Security Organization (SOCSO) or Employment Insurance System (EIS) fund a three-day paternity leave. It is imperative to note that both SOCSO and EIS rely on the contribution of employees and employers. Moreover, if employers were to fund both the paid paternity and maternity leaves, it would incur higher costs for companies, consequently impacting their cash flow, particularly so in small and medium-sized enterprises (SMEs).

Additionally, **cultural factors and social traditions** in Malaysia do not typically support the responsibility of fathers as caregivers. A report by UNICEF (2020) revealed that many fathers do not practice their paternity leave rights when given the choice and this is attributed to archaic gender roles that assign men as breadwinners and women as caregivers. This firm belief renders men vulnerable to discrimination. Furthermore, male employees are more concerned that their careers will be negatively impacted by taking paternity leave.

Lastly, from a broader economic perspective, Mansdotter (2010) asserts that the uptake of leave is higher for men with relatively healthy lifestyles and a 'stable social position', which might imply that the policy fails to provide **equitable and appropriate coverage**. Most family-friendly workplace benefits typically apply to full-time workers only and many low-skilled jobs (i.e. factory workers and part-time workers) are not eligible for this coverage.

Policy Recommendations and Concluding Thoughts

Policy proposals for the implementation of paternity leaves (i.e. three days, two weeks or a month) have been tabled multiple times and funding appears to be the main dispute. One proactive approach is to **undertake a public-private partnership** that requires tax incentives to be provided by the government for the payment of paternity leaves by employers. Alternatively, joint action by the government and the industry can also be encouraged via the utilization of our social security fund from SOCSO as suggested by the MEF.

To alter the longstanding social tradition of gender stereotyping, **educating the younger generation** will help expunge antiquated gender roles and establish gender equality. Moreover, **monitoring paternity leave policies**, especially in their initial stages of implementation, is vital to prevent the exclusion of blue-collared workers. These paternity leave policies should also consider the needs of single fathers (i.e. widowed) who operate their own businesses or are dependent on an hourly-based income, hence achieving equitable and appropriate coverage in the workplace.

The National Family Policy of the agency of the Ministry of Women, Family, and Community Development emphasizes an employer's commitment to ensure family well-being. It also highlights the need for policymakers to analyse paternity leave policies in the labour market. The public sector has successfully implemented statutory paternity leave policies and this should prompt the private sector to follow suit for the advancement of the family unit, community, and the economy.

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