Revisiting the Class-Parity Analysis of Welfare Work Requirements

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Work requirements in welfare programs often are interpreted as enforcing cross-class parity in work-family balance; premised on the idea that most mothers are now working in the labor market, such requirements force welfare recipients to do the same. However, this class-parity analysis mischaracterizes both welfare law and prevailing work patterns. A legal analysis of policies toward two-parent families shows that work requirements typically encourage a breadwinner-caretaker division of labor, not a dual-earner pattern. Unlike policies toward single parents, these policies do not simply insist that all parents work. Moreover, longitudinal analysis of survey data reveals lower rates of continuous employment for mothers generally than what welfare rules require from single parents. Thus, relative to what most mothers do, a transfer recipient must work more if she is single but may work less if she is married. These findings show the need to integrate analysis of welfare policy’s work and family dimensions.

Welfare rights activists of the 1960s and 1970s invoked norms of equality to resist imposition of work requirements in welfare programs. They demanded that low-income women, often women of color, should be able to provide full-time caregiving to their own families just as more privileged women typically did and were encouraged to do (Kornbluh 2007). The repudiation of these demands is the story of welfare policy over the past 4 decades.

A different sort of equality analysis figures prominently in the stringency of work requirements since the 1960s. Many interpret today’s policies as enforcing parity between welfare recipients and higher-income women; both groups must work in order to make ends meet. In this view, providing assistance without requiring work was a relic of a bygone era before the late twentieth-century’s dramatic increases in women’s labor market participation. “Welfare reform made the circumstances of all mothers more similar” (Pateman 2005, 48).
This class-parity analysis equates the level of work required of welfare recipients with the level of work exhibited by the population as a whole. Such an analysis often unites those who otherwise disagree about matters linking women, work, and redistribution. Advocates of work requirements rely heavily on the assertion that “work is the norm” (Cancian 2001, 309). Critics deny that the class-parity analysis carries any normative force, but they often accept it descriptively, attributing much of welfare reform’s political appeal to this cross-class correspondence between mandated and actual behavior. In doing so, they follow leading social scientific explanations of work-based welfare reform’s timing and substance (Orloff 2002).

This article criticizes the class-parity analysis on two crucial points. First, it challenges the conventional wisdom that current welfare policy “overtly prohibits public provision for mothers who choose to stay home with their children” (Danziger 2007, 553–54) and thereby “encode[s such provision] as a violation of norms in American public opinion” (554). This conventional wisdom conflates general welfare policy with those aspects of it that apply to single mothers. Today’s means-tested transfer programs also (and increasingly) serve two-parent families, as so-called working families move to the center of antipoverty policy.

By comparing policies for two-parent households with those for one-parent households, this article is able to distinguish features applicable to all transfer recipients from features that vary with household structure. To exploit this opportunity, the article examines whether and how work-related legal provisions vary with household structure in the Temporary Assistance for Needy Families (TANF) and the Earned Income Tax Credit (EITC) programs. Together, these programs represent the 1990s’ signature shifts to a work-based “policy regime” (Orloff 2002, 96; Mead 2005a). This review demonstrates that, although current policies do preclude stay-at-home caregiving by single mothers, they often embrace it for recipient mothers who live with a wage earner. Rather than embracing the dual-earner model, such programs continue the longstanding pattern in which social policy is structured around a normative household consisting of a man who works in the labor market and a woman who keeps house and cares for the (married) couple’s children; the man is figured as the breadwinner on whom others are economically dependent (Skocpol 1992; Gordon 1994; Kessler-Harris 2001). This family wage system (Orloff 1993; Fraser 1997) lives on, albeit in modified form.

Second, the article challenges the conventional wisdom that requiring work enforces employment patterns comparable to those now adopted by most mothers. This position’s analytical error lies in the use of cross-sectional data to characterize labor market participation. Even if most mothers work at any one time, they might not work for substantial periods over the course of their child-rearing years. A longitudinal anal-
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As a consequence, work rules for single parents require long-term transfer recipients to work much more than U.S. mothers typically do, and the rules deny short-term recipients support during the intermittent periods of nonwork that are typical.

In short, this article argues not only that the class-parity analysis fails but that it does so in opposite directions, depending on household structure. Single mothers receiving transfers must work more than their economically privileged peers. Mothers in two-parent households may work less.

This pattern in the class-parity analysis’s failure reminds one that work policy and family policy necessarily interact (Law 1983; Kessler-Harris 2001; Hays 2003). This interaction confounds the division, one prevalent in social welfare scholarship, between analysis of work requirements and analysis of family formation policies. Moreover, it will be argued below that welfare work rules constitute family policy not only by making distinctions between one- and two-parent families but also by making distinctions among two-parent families with different gendered divisions of labor.

The Rise of Work Requirements and the Class-Parity Analysis

For the first few decades of Aid to Families with Dependent Children (AFDC) and its predecessors, public assistance was designed to uphold women’s place in the family wage system by supporting maternal caregiving when the complementary paternal wage earner was absent (Skocpol 1992; Gordon 1994). For a mother deemed deserving, failure to hold or seek employment was no barrier to receipt. Policy makers’ anxieties about work focused on whether state support might undermine paternal breadwinning, and policies accordingly restricted two-parent families’ access to assistance.

From the 1960s to the 1980s, support collapsed for means-tested benefits that openly enabled mothers to absent themselves from the labor market and instead to engage in family caretaking. Work became the master narrative shared across almost the entire political spectrum. Sexual and reproductive morality remained prominent themes but were tempered by ambivalence and conflict over ends and means. This landscape is reflected in the landmark 1996 federal law that replaced AFDC with TANF (110 Stat. 2105; Mead 2005a). The act’s core structure consists of specific, strict, enforceable mandates addressing work. In contrast, federal provisions concerning marriage and nonmarital childbearing generally contain either purely hortatory language or modest
incentives; an important exception is mandatory cooperation with child-support enforcement (Smith 2007).

Scholars long have linked the abandonment of AFDC’s maternalist roots to broad shifts in gender relations and the labor market. In Beyond Entitlement, Lawrence Mead (1986, 74) notes the erosion of “the presumption that mothers with children belonged in the home.” Mead marshals data showing that, by 1980, a majority of married women were in the labor force. For Mead, these statistics carry normative force. They render all the more devastating Senator Russell Long’s pointed question concerning President Richard Nixon’s Family Assistance Plan: “What makes [welfare mothers] so different from their sisters who choose to work?” (1986, 74). Mead’s theory of reciprocity proposes that true equality requires welfare recipients to shoulder the same citizenly obligations as their middle-class peers. He contends that the then-existing welfare policy’s sustenance of “a substantial class of nonworking adults simply violates the American idea of equality” (1986, 240; see also Kaus 1992).

A similar analysis animates Amy Wax’s recent work, which seeks to systematically explain and justify the welfare reforms of the 1990s (2003a, 2003b, 2005). According to Wax, these policy changes “represent a convergence towards a consensus model of ‘conditional reciprocity’ under which individuals are expected to contribute to their own support through paid employment if they are able, with the government owing nothing to those who could contribute but do not” (2003b, 3). For Wax, this principle ensures assistance to the truly needy while protecting taxpayers from policies that transfer “earnings from workers to able-bodied nonworkers” (2003b, 5). Resentment of such “free riding” (5) provides the political engine of welfare work requirements. As Wax acknowledges, everything turns on the qualifier “if they are able [to work]” (2003b, 3). On this point, she views the transition from AFDC to TANF as a process that incorporated low-income mothers into the population subject to American ideals of economic self-support, ideals previously applicable only to male breadwinners (2003b, 2). The “dramatic movement of mothers into the labor force” produces “expectations that they contribute to their own support through paid employment” and removes family caretaking as a valid alternative (2003a, 135). Thus, Wax suggests, mothers who neither seek nor hold paying jobs are among the “free riders” (2003b, 17) who should be denied assistance.

By prioritizing maternal employment, work requirements also resonate with certain strands of feminist thought. Feminist social policy long has struggled to navigate “Wollstonecraft’s dilemma” (Pateman 1988, 250): whether to respond to women’s enforced dependence on a male family wage by restructuring the labor market to include women fully or by restructuring family and social welfare policy to make women’s traditional domestic roles an independent basis for social and economic citizenship (Orloff 1993; Fraser 1997). Insofar as work-
focused welfare reform endorses “universal employment” by “all able-bodied adults” (Pateman 2005, 35), it helps dismantle the portrayal of women as “inauthentic workers” whose proper place is in the home (Schultz 2000, 1892; compare Hays 2003). Ann Orloff (2002) argues that this explains the relatively weak opposition to welfare reform from mainstream women’s organizations that favor employment-centered responses to Wollstonecraft’s dilemma: “The dominant understanding is that if all must work to support households, and in addition this furthers women’s prospects, women on welfare, too, should be employed” (Orloff 2002, 110; see also Mink 1998).

Finally, even critics of work conditionality typically adopt a class-parity analysis as a matter of explanation, though not prescription. For instance, Joel Handler and Yeheskel Hasenfeld echo Wax and Mead in noting that hostility toward welfare recipients “may also be fueled by the large numbers of middle- and working-class mothers who are now in the paid labor force, working hard, and paying for their own child care and health care. They not only do not receive any support from government, but they pay taxes” (Handler and Hasenfeld 1997, 8; see also Pateman 2005, 47). This explanatory version of the class-parity analysis also prevails among many who endorse work obligations but who would include family caregiving as work (White 2003; Beem 2005).

To be more precise, the class-parity analysis of welfare work requirements posits that two behaviors will or should be similar: the level of work that welfare policy requires from adult transfer recipients and the level of work exhibited by the population as a whole. More narrowly, women’s, and typically mothers’, labor market participation provides the benchmark for work effort. The use of this benchmark acknowledges that both welfare receipt and employment have been heavily gendered. Often the comparison narrows further to married mothers (Beem 2005, 155; Pateman 2005, 47), reflecting perceptions concerning the normative middle-class family in which voting citizens and taxpaying workers are imagined to dwell. The class-parity thesis is that current welfare policy disallows caretaking as an alternative to employment because most mothers now work in the market.

*The Case for the Class-Parity Analysis*

At first glance, there is substantial support for the class-parity analysis’s characterization of both the law and prevailing work behavior. For single parents, federal TANF law imposes work requirements of at least 30 hours per week, or 20 hours for households with a child under age 6 (42 U.S.C. sec. 607 [2006]); states may waive the requirement entirely for a parent with an infant. Since the late 1960s, such hours demands have increased while child age exceptions have narrowed (U.S. House of Representatives 1996). Although what counts as work is more com-
complicated than often supposed, most qualifying activities involve either paid employment or preparation for future employment. Federal law never recognizes caring for one’s family members as work, and state law deviates from this policy only in rare, narrow circumstances (Zatz 2006). In these respects, TANF indeed requires substantial market work and virtually precludes full-time caretaking.

The EITC seems to fit the class-parity analysis even more cleanly. It is functionally equivalent to a means-tested welfare benefit delivered through the tax system and subject to a work requirement (Zatz 2006a; Ventry 2007). In order to receive any credit, single parents must have some earnings, and to receive the maximum credit, those earnings must approximate full-time work at the minimum wage.

The class-parity account of U.S. mothers’ actual behavior also has substantial support. From the 1950s through the 1990s, annual labor force participation skyrocketed among women in the prime working years (fig. 1), particularly among married women and specifically among those with children at home (Hayghe and Bianchi 1994; England 2005; U.S. Bureau of Labor Statistics 2006). These changes stemmed primarily from absolute increases in the number of women in full-time work, not
from migration between full-time caretaking and part-time employment (Hayghe and Bianchi 1994; Cohen and Bianchi 1999; U.S. Bureau of Labor Statistics 2006). Thus, dramatic increases in women’s employment have coincided with growing demands that single parents work as a condition of transfer receipt.

Other Criticisms of the Class-Parity Analysis

Previous scholarship has criticized the class-parity analysis but in ways that differ from the critiques in this article. First, feminist scholars observe that public policy (and public opinion) does not endorse or encourage employment for middle-class, married, white women in the way that it does for welfare recipients, who are marked as single mothers of color (Roberts 1994, 1997; Teghtsoonian 1997). Thus, welfare work rules are not simply one component of a coherent approach that reinforces predominant employment behaviors across policy contexts. An alternative explanation ties shifts in welfare work policy to changes in AFDC’s racial identification and the racial composition of its caseload (Gilens 1999). Second, some note that welfare recipients face greater levels of labor market disadvantage than do women in general. Therefore, welfare recipients’ work behavior arguably should be compared to that of women who are unmarried, who have no more than a high school education, and so on (Cancian 2001; Handler and Hasenfeld 2007; compare Mead 1992). Third, some liberals argue that fairness demands parity of choice set, not similarity of ultimate behavior. They assert that work requirements deprive transfer recipients of the employment-caretaking tradeoffs available to more privileged women (Alstott 1999; Roberts 2004). This article neither relies on nor disputes these important criticisms. Instead, it addresses the class-parity analysis as it most frequently is articulated, finding it lacking even on those terms.

Comparing Work Requirements across Household Configurations

Analyses of work-based welfare reform focus almost exclusively on single-parent recipients. However, TANF and the EITC also provide benefits to households with more than one adult recipient (hereafter described as “two-parent families”).¹

The TANF program eliminates the AFDC provisions that granted benefits to two-parent families only if they included a primary (presumably male) breadwinner who worked recently but was unemployed at the time of application for benefits. The vast majority of states liberalized their TANF eligibility rules accordingly (Rowe and Murphy 2008). Two-parent families now constitute a small but not insignificant portion of the TANF caseload: by a conservative count, during 2007, 61,080 two-
parent families received TANF each month; this represents 6.5 percent of households that receive TANF and include any adults (U.S. Department of Health and Human Services n.d.).

Two-parent families play a larger role in the EITC, representing approximately one-quarter of all recipient households (U.S. House of Representatives 2004). This reflects the greater incidence of two-parent households among those eligible for programs that target the working poor, who have higher household incomes than those in households traditionally served by AFDC and TANF. Two-parent families constitute only 9 percent of EITC recipients with household incomes below $10,000 (U.S. House of Representatives 2004).

Incorporating both single- and two-parent families into the analysis provides a way to test theories of the normative and political imperatives reflected in work-based welfare policies. Variations in policies by household form would suggest that the structure of work requirements expresses social policies that cannot be characterized solely in terms of work and transfer receipt; instead, that structure reflects family and gender relations (Orloff 1993).

Implications of the Class-Parity Analysis for Two-Parent Families

Despite arising out of debates focused on single mothers, class-parity analysis almost always uses broad terms that apply across household structures. When discussing who is subject to the work obligations implied by a class-parity analysis, proponents routinely refer to “adult recipients” (Mead 2005b, 172), “employable nonworkers” (181), “adult members” of households receiving transfers (King 2005, 66), “citizens” (Galston 2005, 112), “poor people” (Wax 2005, 216), or simply “everyone” (Wax 2005, 202). Such formulations imply what is here termed an “individualized work obligation.” Such an obligation would attach to anyone who receives transfers regardless of household configuration. Whether a single parent or a member of a two-parent family, each adult would be required to work the same hours in the same activities.

Although they speak in these universal terms, proponents of a class-parity analysis almost never address explicitly what their analysis implies for two-parent households. The universal language, however, is not simply an artifact of an implicit focus on single parents. Instead, it reflects the substance of the analysis.

Class-parity analysis implies an individualized work obligation to the extent that it compares transfer recipients with married mothers. The standard claim is that the male breadwinner supporting a wife and children has been eclipsed by the dual-earner couple as typical, socially endorsed middle-class behavior. This shift in married mothers’ work behavior is the crucial change since AFDC began. It also is why a class-parity analysis typically compares welfare recipients with most mothers.
or most married mothers, not with all parents or all adults; such comparisons highlight a shift away from specifically male breadwinning. Thus, the claim is that all adult transfer recipients are expected to work because most adult citizens work, “middle-class mothers” fully included (Mead and Beem 2005a, 254).

Normative theories of work requirements, including those theories that incorporate a class-parity analysis, similarly imply an individualized work obligation. Consider theories concerned with free riding. These hold that an adult should receive a need-based transfer payment only when his or her needs remain unmet despite reasonable work effort: the “government ow[es] nothing to those who could contribute [to their own support through wage-earning] but do not” (Wax 2003b, 3). This principle implies that each adult in a two-parent family receiving assistance should be subject to a work requirement, though Wax and similar thinkers do not address two-parent families explicitly. Moreover, it suggests that the reasonable-efforts standard should be as stringent as for a single parent. This last conclusion is reinforced if the reasonableness of work expectations for single parents is established by reference to the work patterns of married mothers.

In order to avoid an individualized work obligation, a different sort of class-parity analysis could be constructed around comparisons between households rather than individuals. An example of such a variation yields what shall be labeled the “breadwinner-priority model.” Households that receive transfers are expected to be working families (as most households are). Being a working family requires having one breadwinner, regardless of whether additional adults work. A breadwinner-priority model retains the family wage ideal of one full-time wage earner and one full-time caretaker but loosens the gender constraint by allowing the breadwinner to be either a man or a woman. Loosening this constraint opens the question of whether breadwinning or caretaking roles should take precedence when a woman parents alone, and the breadwinner-priority model chooses the former. Thus, single parents (mothers or fathers) must become breadwinners, but not because breadwinning is expected of all adults.

Class-parity analysis would have to be reworked substantially to generate a breadwinner-priority model rather than an individualized work-obligation model, and it might lose much of its force in the process. For instance, such a modified class-parity analysis could not make use of the historical shift from a single- to a dual-earner model among married couples because both comply with breadwinner priority; no relevant historical change in work behavior corresponds to the observed change in work rules. Furthermore, some explanation would be required for why an individual’s obligations, whether triggered by transfer receipt or a general social obligation to work, vary with his or her household arrangements. In particular, it would be necessary to explain why
one parent’s work would authorize the other to free ride on taxpayer assistance. Moreover, a two-adult household has at least twice the capacity to work as a single-adult household. Therefore, a principle that demands work in proportion to ability would require at least twice the aggregate work from the two-parent household as from the single parent, even if the intrahousehold distribution of that work were treated as a private matter.

Federal TANF Law

Federal TANF law’s most important work requirements are its state “participation rates” (42 U.S.C. sec. 607 [2006]). To meet these standards, states generally require all adult TANF recipients, with narrowly defined exemptions, to work in specified activities for a particular number of hours per week (Zatz 2006a). These work participation rates use the family as the unit of measurement. One rate applies to “all families” and another to “2-parent families” (42 U.S.C. sec. 607 [2006]). For a single-parent family subject to the all-families rate, there is no difference between using individuals and families as the work unit. For the two-parent rate, however, the sum of both adults’ work hours determines work requirement compliance. Thus, one parent may perform all the requisite work while the other performs none; the two also may split the hours in any proportion.

In addition, TANF requires fewer total work hours per parent from two-parent families than from one-parent families. Two-parent families collectively must work 35 hours per week (42 U.S.C. sec. 607 [2006]). Although this requirement slightly exceeds the 30 hours a single parent must work, it falls well below the 60-hour total that would apply if both parents were required to work 30 hours.7

The two-parent rate structure permits a family to comply with TANF work requirements by maintaining a stereotypical breadwinner-caretaker division of labor (Mink 1998). Indeed, the policy appears designed specifically to accommodate such a household. Unlike the rules for single parents, the two-parent work requirements do not relax when the household includes a preschool child or infant. Presumably, such adjustments are unnecessary because one parent is assumed to be providing full-time care. If, however, the household utilizes child-care subsidies, the required hours increase from 35 to 55 because the second parent is now free to work an implied 20-hour week (42 U.S.C. sec. 607 [2006]). Finally, two-parent families remain subject to the all-families rate under which one parent must perform at least 30 hours of work (U.S. Department of Health and Human Services 2006, 37,463).8

Federal TANF policy thus comports with a breadwinner-priority model and does not impose an individualized work obligation. Although single parents must work, two-parent households need not adopt a dual-earner
model; to the contrary, the rules are structured to accommodate a breadwinner-caregiver division of labor.

State TANF Law

Federal TANF policy devolves to individual states the primary responsibility for crafting work requirements within the broad constraints set by federal law. Therefore, a full understanding of TANF work rules requires examination of state law. In principle, states might use their discretion under TANF to push their work requirements toward the individualized work-obligation model by increasing the number of work hours required from two-parent households and by mandating work for both adults. Or states might more fully realize the breadwinner-priority model by aligning minimum work hours in single- and two-parent households and by further discouraging hours splitting in the latter. Previous research has shown substantial state-level heterogeneity in other aspects of TANF work requirements (Kaplan 2002; Zatz 2006a).

To investigate how household structure affects work requirements at the state level, the present analysis identifies the statutory and regulatory provisions that implement TANF, or its state-funded analogues, in all 50 states and the District of Columbia. All examined provisions were in force in March 2007. These sources provide a full picture of the formal, public, legally binding policy decisions made by state legislatures and executive agencies. The provisions include those that specify which household members are subject to work requirements and how many hours of participation are required (for examined provisions, see appendix table A1). In this regard, the examination operates at the same level as class-parity analysis, which relies on the formal structures of AFDC, TANF, and the EITC for claims about what these policies require or express (Orloff 2002).

The results that follow answer three questions about how state work requirements can vary by household form. First, to what extent may one parent in a two-parent family not work, or work less than the amount required of a single parent? Second, how do the total hours of work required from a two-parent household compare to the total hours required from a single-parent family? Third, within two-parent families, to what extent is an unequal division of work hours required, permitted, or forbidden?

As table 1 shows, a large majority of states allow one parent in a two-parent household to work fewer hours than a single parent is required to work. Indeed, at least half the states allow one parent not to work at all (in keeping with a breadwinner-priority model). Most states’ laws contain general statements that all adult recipients must comply with work requirements, but many also specify the necessary hours in a way that relieves one parent of any work obligation. Texas’s
Table 1

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<tr>
<th>Fewer Hours*</th>
<th>Some Work</th>
<th>Equal Hours</th>
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Total = 21 Total = 8 Total = 12 Total = 1

Note.—Total work hours in households without a child younger than age 6. For core work hours only, New Jersey and New Mexico require equal hours and Delaware requires none. In a household with a child under age 6, Maine requires equal hours. For states not listed, see n. 9.

* Welfare rules in these states allow one parent in a two-parent household to work fewer hours than a single parent is required to work.

† Could be classified as “no work required” because minimum hours specified for only one parent, who could perform all required household hours by working full time.

‡ Could be classified as “no work required” because no minimum hours specified for either parent, but total required household hours substantially exceed one full-time worker.

Rules illustrate this phenomenon. All adults must cooperate with “activities toward becoming self-sufficient” by “enrolling and participating in the Choices work program” (Tex. Admin. Code tit. 1, sec. 372.1154[g]). Nonetheless, “Choices participants in two-parent families who are not receiving Commission-funded child care are required to have one or both adults in the family participate for at least a minimum weekly average of 35 hours” (Tex. Admin. Code tit. 40, sec. 811.25[c]). This “one or both” language permits one parent not to work at all.

Some states make explicit that this structure permits one parent to be a primary caretaker. Arkansas allows one parent’s full-time work to fulfill the household’s work requirement when the other parent’s work
requirement is “deferred for care.” Such deferrals are allowed only in two-parent households (Code Ark. R. 016-20-002 secs. 2430, 3201).

The remaining minority of states usually require each parent to work as much as a single parent. Typically, they formulate their requirements in individualistic terms. All adults have the same work requirements independent of household structure. For instance, Massachusetts has an elaborate system that applies three different work requirements depending on the youngest child’s age. These rules apply both to single parents and to “each parent” in a two-parent household (106 Code Mass. Regs. sec. 203.400[A][5]).

Table 2 presents the hours required in aggregate from both parents in two-parent families, comparing those requirements to requirements for single-parent families. In contrast, table 1 focuses on the least work required from either parent in a two-parent family.

In an individualized work-obligation model, parents in two-parent families would (in aggregate) be required to work twice as much as single parents. Consistent with this model, 12 states require each adult in a two-parent family to work at least the same number of hours required of single parents (Equal Hours column, table 1). All but one of these states also appear in the Double Hours column of table 2 (i.e., each requires the parents in a two-parent family to work, in aggregate, double the number of hours required of a single parent).\textsuperscript{11}

In a two-parent family, a state could permit one parent not to work at all and yet still require large amounts of total work (i.e., from the combined work of both parents). Utah allows parents to split work hours in any proportion but requires 60 hours in aggregate, twice the 30 hours required of single parents (Utah Admin. Code r. 986-200-215). Utah, however, turns out to be unique; no other state shifts from the Fewer Hours section in table 1 to the Double Hours column in table 2.

A breadwinner-priority model would require the same total work from a two-parent family as from a single parent, thereby allowing one breadwinner’s work to satisfy requirements in either household arrangement. Only Connecticut, Nevada, and Wisconsin fully embrace this approach. Nonetheless, most other states come close by requiring only slightly more work from a two-parent family (Between Equal and Double Hours column, table 2) and little enough to be satisfied by one full-time worker. Such states typically require the federal minimum of 35 hours for a two-parent family and 30 hours for a single parent.\textsuperscript{12} Only Indiana, Minnesota, and Mississippi fall closer to the double-hours pole and require more hours (55) than can be worked within a typical full-time schedule.

Considered together, tables 1 and 2 show that most states allow one of two parents to work less than a single parent. This is not simply because such states allow flexibility in how work is divided within the household. The two-parent work requirements are lower per capita and low enough to be fulfilled entirely by one full-time breadwinner.
### Table 2

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<thead>
<tr>
<th>Fewer than Double Hours</th>
<th>More than Double Hours</th>
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<tr>
<td><strong>Equal Hours</strong></td>
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<td>District of Columbia*</td>
<td>Delaware*</td>
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<tr>
<td>Georgia*</td>
<td>Indiana</td>
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<tr>
<td>Kentucky*</td>
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<td>Ohio*</td>
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<td>South Dakota*</td>
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<tr>
<td>Texas*</td>
<td>Texas*</td>
</tr>
<tr>
<td>Vermont*</td>
<td>Vermont*</td>
</tr>
<tr>
<td>West Virginia*</td>
<td>West Virginia*</td>
</tr>
</tbody>
</table>

**Note.**—Total work hours in households without a child younger than age 6. For core work hours only, California and Delaware require equal hours, Indiana and Utah require more than double hours, and New Mexico requires double hours. In a household with a child under age 6, Connecticut requires between equal and double hours, Vermont requires double hours, and more than double hours are required by Arizona, Indiana, Minnesota, and Mississippi. For states not listed, see n. 9.

* Total household hours do not exceed one full-time work week (40 hours).

An individualized work-obligation model also dictates that, within two-parent families, both parents equally share responsibility for meeting work requirements. All the states listed in both the Equal Hours column of table 1 and the Double Hours column of table 2 appear under the Equal Division column in table 3 (i.e., all divide the total work hours equally between two parents). Typically, these states have policies that involve a norm of “full-time” work for both parents, as in Iowa (Iowa Admin. Code r. 441-93.109[2][239B]), or require a specific number of hours approximating the conventional 35–40-hour workweek.¹³

A few states take the opposite approach and mandate an unequal
Table 3

DIVISION OF REQUIRED WORK HOURS WITHIN TWO-PARENT FAMILIES

<table>
<thead>
<tr>
<th>Unequal Division</th>
<th>Flexible Division</th>
<th>Equal Division</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Any Division</td>
<td>Some Work by Both</td>
</tr>
<tr>
<td>California</td>
<td>Arkansas</td>
<td>Connecticut</td>
</tr>
<tr>
<td>Delaware</td>
<td>Colorado</td>
<td>Indiana*</td>
</tr>
<tr>
<td>Missouri</td>
<td>District of Columbia</td>
<td>Minnesota*</td>
</tr>
<tr>
<td>Nevada</td>
<td>Georgia</td>
<td>Mississippi*</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Kentucky†</td>
<td>Utah*</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>Louisiana</td>
<td></td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Michigan</td>
<td>Massachusetts</td>
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<tr>
<td></td>
<td>New Hampshire</td>
<td>Nebraska</td>
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<tr>
<td></td>
<td>New York</td>
<td>New Jersey</td>
</tr>
<tr>
<td></td>
<td>North Carolina</td>
<td>New Mexico§</td>
</tr>
<tr>
<td></td>
<td>North Dakota</td>
<td>Pennsylvania</td>
</tr>
<tr>
<td></td>
<td>Ohio</td>
<td>Tennessee</td>
</tr>
<tr>
<td></td>
<td>South Dakota</td>
<td>Washington</td>
</tr>
<tr>
<td></td>
<td>Texas</td>
<td>Wyoming</td>
</tr>
<tr>
<td></td>
<td>Vermont</td>
<td></td>
</tr>
<tr>
<td></td>
<td>West Virginia</td>
<td></td>
</tr>
<tr>
<td>Total = 7</td>
<td>Total = 16</td>
<td>Total = 5</td>
</tr>
</tbody>
</table>

Note.—Total work hours in households without a child younger than age 6. For core work hours only, New Jersey requires an unequal division. In a household with a child under age 6, Arizona requires an unequal division. For states not listed, see n. 9.

* Could be any division because no minimum hours specified for either parent, but total household hours substantially exceed one full-time worker.
† Without child-care assistance. Otherwise, requires unequal division (35 hours for one parent and 20 for the other).
‡ Without child-care assistance. Otherwise, requires some work by both.
§ Without child-care assistance. Otherwise, requires unequal division (at least 30 hours for one parent, 20 hours for the other, and 50 total).

division of labor in fulfilling work requirements. Nevada places responsibility for the entire work requirement on one parent, the designated “head of household,” who “receives benefits on behalf of the household” (Nev. Rev. Stat. Ann. sec. 422A.510). Delaware, Missouri, Rhode Island, and Wisconsin have similar, though less explicit, rules.

The remaining states, half of the total, allow a flexible division of required work hours and do not mandate that they be divided either equally or unequally. Most of these follow Texas’s approach (discussed above), which permits any division. A variant requires each parent to do some work but allows one of the two to contribute less than half of the total hours required from the family. In Connecticut, for instance, both parents must work, and they must work a combined minimum of 30 hours, but no further division is specified (Connecticut Department of Labor 2002, sec. 1610[B]). Of these, only Texas’s approach allows for a complete breadwinner-caretaker division. No reported data examine how such flexibility is used, but these policies seem likely to
reproduce the unequal gendered divisions of labor that prevail among cross-sex couples (Cancian and Reed 2004). 17

**EITC**

The EITC reflects the same basic breadwinner-priority structure as that found in the federal TANF rules and most state TANF programs. Because the EITC is administered entirely through the federal tax system, its structure can be described briefly.18

For married couples, EITC eligibility is based on combined earnings.19 Therefore, the same credit is available regardless of whether earnings come from one spouse alone or from any combination of the two individuals’ earnings (Zelenak 2004). In other words, the EITC would fall under the No Work Required column in table 1 because one parent’s work can make a household eligible, even if the other does not work at all.

Moreover, both married couples and single filers face the same phase-in rate as earnings grow and the same maximum credit when the EITC plateaus. In 2007, households with two or more children could receive a refundable credit worth 40 percent of their earnings up to $11,790, for a maximum of $4,716 (Tax Policy Center 2009a). Therefore, the EITC is analogous to the policies in states in the Equal Hours column of table 2 because, for any given transfer amount, the same total amount of work is required from two-parent and single-parent households.20

Finally, because it relies on combined earnings, the EITC is insensitive to married couples’ division of labor. Thus, it is analogous to the policies of states in the Any Division column of table 3.

In sum, the EITC does not impose an individualized work obligation. Instead, a married couple with a breadwinner-caretaker division of labor is eligible for the same credit as a single breadwinner with the same earnings and number of children. A single parent who does no paid work, however, is entirely ineligible. A roughly similar structure applies to the refundable federal Child Tax Credit though over a much wider income range (Tax Policy Center 2009b).

**Discussion**

Two major conclusions emerge from the preceding observations. First, most work requirements for two-parent families are inconsistent with a class-parity analysis. Federal TANF law, the federal EITC, and most state TANF programs adopt some variant on a breadwinner-priority model. Means-tested assistance will be provided even when one parent performs family caretaking rather than market work so long as the other parent maintains full-time employment. In this respect, the behavior usually required of transfer recipients does not match the dual-earner or universal-employment pattern that a class-parity analysis posits as the new norm.
Second, two-parent work requirements are heterogeneous. A substantial minority of state TANF policies impose an individualized work obligation. Such an obligation is consistent with the class-parity analysis and, in particular, with its normative version grounded in an imperative for self-support. Most states do not take this approach, however, and this suggests that existing work requirements cannot be fully understood or justified by reference to such an imperative. It also suggests that important controversies persist concerning the principles guiding work requirements.

Revisiting the Normalcy of Work in Longitudinal Perspective

Even insofar as work requirement policies mandate work, do such policies thereby enforce “greater consistency between welfare mothers and other mothers?” (Beem 2005, 156). The conventional affirmative answer rests on a flawed method of comparison. The flaw lies in the failure to examine how work behavior, both by transfer recipients and typical U.S. mothers, varies or persists over time.

Class-parity analysis consistently relies on cross-sectional measures of mothers’ labor market behavior; so, too, have empirical critiques of claims that “work is the norm” (Cancian 2001; see also Mink 1998; Cohen and Bianchi 1999). These studies ask what proportion of mothers work in any given week, month, or year. Finding that most mothers work, they conclude that a transfer recipient is out of step if she receives a transfer but is not employed.

Relying on cross-sectional data creates different problems depending on whether one focuses on short- or long-term transfer receipt. The subject of long-term recipiency has dominated public debate over welfare and work, some nuanced pictures of welfare spell dynamics notwithstanding.21 In addition, the strongest defenses of unconditional welfare entitlements support the option of long-term receipt (e.g., Alstott 1999; Pateman 2005), as AFDC allowed and the EITC still does. For these reasons, long-term recipiency remains analytically important.

For single parents receiving welfare, rules mandate work and disallow full-time caretaking at almost all times.22 One cannot build up credit as a worker during one period of time and spend it during another period of nonwork.23 Thus, continuous benefits require continuous work. Cross-sectional analyses, however, do not reveal how many nonwelfare mothers work continuously throughout their child-rearing years. And yet nonwork at some point during long-term transfer receipt constitutes a deviation from prevailing behavior only if most mothers work continuously. Mistakenly, the class-parity analysis compares work requirements continuously applied with work behavior measured at a single point in time.
Fig. 2.—Cross-sectional versus longitudinal representations of work behavior

The difficulty posed by use of cross-sectional data is more severe with regard to short-term recipients, who represent a large portion of those who ever claim transfers (see n. 20). Work requirements test for work only during the time a recipient receives transfers; the recipient cannot establish his or her status as a worker by prior or subsequent employment. Nothing guarantees that work behavior during a brief welfare spell will be typical of a much longer time period; indeed, such behavior is likely to be atypical because earnings reduce eligibility for means-tested benefits. The class-parity analysis, however, essentially compares a short-term recipient’s nonwork with the work behavior at a randomly selected point in most mothers’ lives. To see the problem, imagine that most mothers work 7 out of 10 years. A mother applying for transfers during a single year of nonwork would be seeking support for something utterly typical. Yet, cross-sectional data would suggest the opposite because, in any 1 year, most mothers would be working. Again, if most mothers’ work behavior remains constant over time, no such problem arises, but cross-sectional data cannot tell us whether this is so.

To illustrate the difference between cross-sectional and longitudinal perspectives, figure 2 presents two hypothetical patterns of labor market behavior by five parents over 12 years. In Scenario I, three parents work continuously and two never work at all. In Scenario II, one works all 12 years, but the remainder shift between work and nonwork to varying degrees. Measured cross-sectionally, however, parental labor market par-
Revisiting Class Parity

Participation is the same in both scenarios: in each year, 60 percent of parents work.

Based on these cross-sectional results, a class-parity analysis would conclude that when welfare rules require long-term recipients to conform to the continuous work pattern of parents A, B, and C in Scenario I, they require behavior similar to most (60 percent of) mothers. But the 60 percent cross-sectional result is equally consistent with Scenario II, in which the same welfare rules require substantially more work from long-term welfare recipients than from typical mothers. The former must work in every year, something only 20 percent of parents (those represented by A) do. Not only do 80 percent (parents B–E) spend at least 1 year not working, but 60 percent (parents C–E) spend at least 4 years not working.

Furthermore, consider the short-term recipient who receives transfers in 1 or 2 of the 12 years and does not work in those 1 or 2 years. In Scenario I, that information alone is enough to establish that the recipient works less than typical parents A, B, and C. But in Scenario II, not working in 1 or 2 years is consistent with working more than 80 percent of parents (parents B–E).

A Longitudinal Analysis of Panel Data

To assess the significance of switching between cross-sectional and longitudinal perspectives, the present analysis examines mothers’ employment behavior using data from the Panel Study of Income Dynamics (PSID), a nationally representative sample of adults in the United States. Included were women surveyed between 1981 and 1997 whose youngest child was present in their household throughout ages 1–5 during the survey period (N = 1,576). Except when otherwise noted, results are presented for the subgroup of mothers whose youngest child was present throughout ages 1–12 during the survey period (n = 663). The use of data from this subgroup allows examination of work behavior over longer periods of time and broader child age ranges but at the cost of reducing sample size and introducing greater distortions from the constraint of continuous mother-child coresidence. An individual is coded as working if she is employed for at least half the year (i.e., she reports any hours of employment in 27 or more weeks in the year preceding the interview). Those who do not satisfy this criterion are coded as not working. Those coded as working are broken down further according to hours worked: under 20 hours per week, 20–30 hours per week, and more than 30 hours per week. These work levels permit assessment of whether the mother worked enough to comply with federal TANF rules for single parents. The rules differ depending on the youngest child’s age. All discussion below of child age refers to the age of the mother’s youngest child.
As figure 3 illustrates, the cross-sectional results are broadly consistent with the class-parity analysis and with other cross-sectional data reviewed above. For all mothers tracked from child ages 1–12, substantial minorities work when their child is 1 or 2 years old (44 percent and 48 percent, respectively), and majorities work as the child grows older; an overwhelming 77 percent of all mothers work when their child is age 12. If the analysis considers only mothers married continuously throughout this child age range, the results are broadly similar. Among those who work, mean and median weekly work hours are 30 or more at all child ages (not shown).

As figure 2 suggests, the cross-sectional results reported in figure 3 are mathematically consistent with many different longitudinal patterns. At one pole (analogous to Scenario I), most women work continuously (at least once their children turn age 3); the remainder work very little or not at all, and any work is concentrated when their children are oldest. At the other pole (analogous to Scenario II), few women work continuously, but most spend substantial time both in and out of the labor market. The force of the class-parity analysis relies on the assumption that reality lies closer to Scenario I.

This assumption is tested by constructing a hypothetical longitudinal pattern that is analogous to Scenario I but also consistent with the cross-sectional results. This construct predicts what the longitudinal data would be if behavioral patterns are most consistent with those in Scenario I. By assuming no transitions from work to nonwork, the construct maximizes the number of mothers who work continuously or who continuously do not work. If this constraint is applied, the 44 percent working at child
Table 4
Generating Predicted Longitudinal Results, with Comparison to Actual Results

<table>
<thead>
<tr>
<th>Child Age</th>
<th>Mothers Working</th>
<th>Mothers Not Working</th>
<th>Cross-Sectional Measure Actual (%)</th>
<th>Longitudinal Measures of Nonwork</th>
<th>Predicted (%)</th>
<th>Actual (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Years (Child Ages 1–12)</td>
<td>Exact Years</td>
<td>Minimum Years</td>
<td>Exact Years</td>
</tr>
<tr>
<td>1</td>
<td>44</td>
<td>56</td>
<td>0</td>
<td>44</td>
<td>100</td>
<td>21</td>
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<tr>
<td>2</td>
<td>48</td>
<td>52</td>
<td>1</td>
<td>5</td>
<td>56</td>
<td>16</td>
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<tr>
<td>3</td>
<td>57</td>
<td>43</td>
<td>2</td>
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<td>10</td>
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<tr>
<td>4</td>
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<td>38</td>
<td>3</td>
<td>5</td>
<td>43</td>
<td>10</td>
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<td>25</td>
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<td>75</td>
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<td>10</td>
<td>0</td>
<td>26</td>
<td>6</td>
</tr>
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<td>77</td>
<td>23</td>
<td>12</td>
<td>23</td>
<td>23</td>
<td>5</td>
</tr>
</tbody>
</table>

age 1 would remain working through child age 12, and the 23 percent not working at age 12 would never have worked since age 1.

The remaining 33 percent must spend at least 1 year working and another not working. In order to maximize continuity of work behavior, the analysis further assumes that some percentage of mothers switch from the nonworking to working state at each child age above 1; thereafter, these mothers continue working through child age 12. These percentages equal the year-to-year increase in mothers’ work measured cross sectionally. For instance, between child ages 1 and 2 there is a 5 percent cross-sectional increase in mothers working (from 43.6 to 48.4 percent, prior to rounding); therefore, 5 percent of mothers are deemed by this analysis not to work when their child is age 1, to begin working when the child is age 2, and to continue working through child age 12. Similarly, in the time between child ages 2 and 3, there was an 8 percentage point increase in the number of mothers working (from 48.4 to 56.6 percent, prior to rounding); therefore, 8 percent of mothers are deemed here not to work when the child is age 1 or 2 but to work when the child is between the ages of 3 and 12.

Table 4 presents the longitudinal pattern that would be consistent with the actual cross-sectional results if mothers never transition from work to nonwork. A corollary is that mothers never transition from nonwork to work more than once. Two measures are used to characterize these longitudinal patterns.

The first measure is the percentage of all mothers who spend some
exact number of years not working between child ages 1 and 12. For example, there are zero years of nonwork for the 44 percent who work when the child is age 1 and (in this construct) in each year thereafter. Because 5 percent transition from nonwork when the child is age 1 to work when the child is age 2 and then work in each year thereafter, 5 percent have 1 year of nonwork between child ages 1 and 12.

The second, cumulative measure is the percentage of all mothers who spend at least some number of years not working between child ages 1 and 12. Every sample member must have zero or more years of nonwork. Those calculated to have a minimum of 1 year of nonwork are the sum of all those whose exact years of nonwork are 1, 2, 3, and so on to 12. Those with a minimum of 10 years of nonwork are all of those whose exact years of nonwork are 10, 11, or 12.

In this hypothetical construct, but not necessarily in reality, the number of mothers not working at least 1 year equals the number not working when the child is age 1; everyone in that group did not work in at least that year and, as specified, no one ever switches from work to nonwork at a higher child age. Similarly, the number of those not working a minimum of 10 years equals the number not working at child age 10.

For the present critique of the class-parity analysis, this second measure of minimum years of nonwork is the most relevant. It identifies the percentage of mothers who do not work continuously and the extent of their nonwork.

Applied to the hypothetical longitudinal construct, this measure of minimum years of nonwork shows that most mothers (56 percent) spend 1 or more years not working when they have a child aged 1–12. These years of nonwork are, however, concentrated when the child is ages 1 and 2; thereafter, only a minority of mothers (43 percent) ever spend a year or more not working. Were this construct to reflect reality, it largely would support the class-parity analysis, although there is some imprecision related to work exemptions for parents of infants and toddlers.

Because the cross-sectional results are drawn from panel data, actual longitudinal results for the same sample can be extracted and compared to the hypothetical results. Table 4 reports the actual figures. The percentages of mothers who do not work some exact number of years and some minimum number of years are generated from data on the years each mother works (or not) when the child is between the ages of 1 and 12.

As table 4 shows, the actual and predicted longitudinal results diverge substantially. In the actual panel data, only 5 percent of sample members never work in any year (vs. 23 percent predicted), only 21 percent work in every year (vs. 44 percent predicted), and the remaining 74 percent have at least 1 year of nonwork and 1 of work (vs. 33 percent predicted). A 53 percent majority do not work at least 3 years (vs. 43 percent pre-
Revisiting Class Parity

Fig. 4.—Longitudinal results: years not working or working part-time, child ages 6–12

Looking at employment patterns longitudinally affects one’s view of the timing of nonwork, not just the understanding of its prevalence. The cross-sectional data suggest that any imprecision in the class-parity analysis is confined to mothers of very young children (Cohen and Bianchi 1999; Cancian 2001). Once children reach age 6, only a distinct minority of mothers do not work in any 1 year. Because only 30 percent of mothers do not work when their youngest child is age 6, the hypothetical construct infers that only 30 percent of mothers ever spend a year or more not working from child ages 6–12. The longitudinal results, however, show a different pattern. If work behavior is examined only between child ages 6 and 12, 52 percent of mothers do not work in at least 1 year (fig. 4).

Furthermore, a full comparison of policy requirements and observed behavior must account for hours of work (Cohen and Bianchi 1999; Cancian 2001). Doing so reveals an even greater prevalence of work patterns that would not satisfy work requirements. Under TANF, the single parent is required to work 30 hours per week at child ages 6 and higher. If the analysis again examines work behavior only during the period of child ages 6–12, the vast majority (75 percent) of women are found to spend at least 1 year not meeting the 30-hour standard. Most (53 percent) do not meet it for at least 4 out of 7 years.29

Figure 5 shows longitudinal results for the longer time period of child

dicted), and 64 percent do not work at least 2 years (vs. 52 percent predicted). Results (not shown) from a chi-square test suggest that the differences between the series of predicted and actual results are statistically significant with high confidence ($p < .001$).
Fig. 5.—Longitudinal results: years not working or working part-time, child ages 1–12

The analysis uses a less stringent (20 hours per week) standard that TANF permits for parents with children under age 6. Even under this standard, the analysis of panel data shows that most mothers spend at least 5 out of 12 years working less than TANF requires. At hours this low, even if the level is maintained year round, a minimum-wage worker would qualify for less than half the maximum EITC (based on 2007 parameters).

Results for all mothers have been presented thus far, but as noted above, a class-parity analysis often uses married mothers as the baseline for comparison. Because marital status may change during the interval observed, it is difficult to incorporate into the longitudinal analysis. The present analysis thus examines mothers who are married in each year in which their youngest child is between ages 1 and 12 (n = 223). These continuously married mothers provide an appropriate reference group for a class-parity analysis that seeks to compare transfer recipients with mothers who conform to norms of marital childbearing and childrearing. This specification also should reveal to the maximum extent any positive correlation between marriage and work behavior.

Results for married mothers do not differ substantially in magnitude from those for mothers as a whole (fig. 5). When results aggregate nonwork and work under 20 hours per week, 76 percent of continuously married mothers (vs. 83 percent of all mothers) are found to fall below the 20-hour standard in at least 1 year, and 52 percent (vs. 52 percent)
do so in 5 or more years.\textsuperscript{30} Taken as a whole, these differences between mothers married continuously and the remainder (not shown) are statistically significant ($p = .01$) using a chi-square test, but the differences are concentrated in the proportions spending 8 or more years either not working or working part-time.

Like marriage, educational achievement might plausibly help specify the appropriate comparison group for a class-parity analysis. When analyses combine nonwork with work under 20 hours per week, 81 percent of mothers with a high school education or more fall below the standard in at least 1 year (vs. 83 percent of all mothers), 54 percent do so in 4 or more years (vs. 57 percent), and 48 percent do so in 5 or more years (vs. 52 percent; results not shown).\textsuperscript{31} Thus, empirical trouble remains even for a class-parity analysis that compares transfer recipients with mothers who have complied with the norm of high school graduation. If one instead compares mothers who are on welfare with mothers who enter the labor market with similar skills (Cancian 2001), the class-parity analysis’s empirical shortcomings become much more severe: mothers without a high school degree are found to be far more likely than all others to spend some or all years not working ($p < .0001$; results not shown).

Taking marital status or educational attainment into account does not appear to alter the basic conclusion that most mothers spend substantial amounts of time working less than welfare recipients are required to work. Thus, the results presented here seem robust to variations in the structure of class-parity analysis’s comparison.\textsuperscript{32}

\textit{Discussion}

The analysis presented above establishes two important points about mothers’ employment. First, cross-sectional data alone cannot reveal whether work requirements align the work behavior of transfer recipients with the work behavior of most mothers; such data do not capture individuals’ shifting work status over time. Second, adopting a longitudinal perspective substantially alters an assessment of what work behavior is typical. Most U.S. mothers spend at least several years not working when they have at home a child between the ages of 1 and 12. They do not work during at least 1 year in which they have a child at age 6 or above. The extent of nonwork grows substantially if one aggregates nonwork and part-time work.

It thus follows that work requirements demand substantially more work from long-term transfer recipients than most U.S. mothers perform. The cause lies in rules that mandate continuous work participation but make no allowance for periods of nonwork or part-time work. However, eliminating work requirements would not establish class parity either. Neither continuous work nor continuous nonwork is as common
as the cross-sectional data suggest. Therefore, a transfer program without any work requirement (and without time limits) would permit an even larger deviation from typical behavior than commonly supposed. Instead, a policy designed to enforce class parity would allow for periods of little or no work while also limiting the total time of such periods.\(^{23}\)

Considering short-term recipiency amplifies the mismatch between a class-parity benchmark and current work requirements. If a mother works in 9 out of her child’s 12 preteen years and spends 1 or more of the other 3 years receiving transfers, she has worked as much as most mothers do even if she does not work at all during the period of transfer receipt.\(^{34}\) Therefore, conditioning her transfers on work would break class parity, not preserve it. Current work rules fail to distinguish this scenario from others, even though nearly 75 percent of new TANF recipients exit the program within 1 year (Crouse et al. 2007). Determining the severity of this failure would require better data on the distribution of longitudinal employment patterns among actual and potential transfer recipients.\(^{35}\)

In general, an assessment of the extent of the class-parity analysis’s error would require further conceptual development of that analysis itself. Short-term recipiency, for instance, challenges the basic structure of a comparison between transfer recipients and other mothers because individuals cross between these groups over time.\(^{36}\) Also, how prevalent must work behavior be to trigger the expectation that transfer recipients will follow suit? Must a bare majority of mothers work or merely a substantial minority? Is there some other threshold? Which group exactly provides the relevant comparison to transfer recipients: married mothers with at least a high school education (because they are said to have played by the rules) or single mothers with no more than a high school education (because they face comparable employment challenges)? In addition, future research plainly could improve upon the relatively crude results presented here by using other data sets, different historical time periods, and more sophisticated statistical techniques. Future research might also measure work over shorter time periods.

Prior articulations of a class-parity analysis, however, neither confront these nuances nor defend a well-specified underlying theory of class parity. These circumstances make it appropriate to challenge the class-parity analysis on its existing terms. Proponents of a class-parity analysis may well revive it in a new and more fully developed form, but the results presented here place on them the burden of doing so.

Moreover, these results suggest that the class-parity analysis’s weaknesses lie not merely at its margins. It is difficult to imagine how refinements like those contemplated above could close the gap between (a) requiring a TANF recipient to work 20 hours or more in every week and (b) a behavioral pattern in which most mothers do not meet that standard in at least 5 out of 12 years (and for most weeks in those years).
Conclusions

The class-parity analysis fails in two distinct ways. First, federal law and most states do not enforce a dual-earner model for two-parent households but instead allow one parent not to work at all. In fact, current law permits these mothers to work less than most U.S. mothers do. Second, substantial periods of nonwork or part-time work over time are typical among U.S. mothers. Therefore, current welfare law requires single parents to work more consistently than most U.S. mothers do. The class-parity analysis thus fails for both single-parent and two-parent families, but it fails in opposite ways for the two different household structures.

Underlying this result is the tilt of contemporary work requirements toward a breadwinner-priority model, yet that tilt is tempered by tensions between this model and imperatives of self-support and by some jurisdictions’ adoption of an individualized work obligation. Any account of contemporary work requirements, whether normative or positive, must grapple with this variation by household structure. If one focuses only on single mothers, a class-parity analysis might be revived by analyzing not how much most mothers work but by asking instead how much most mothers would work if the alternative were receiving welfare. Under a self-support theory such as Wax’s, reasonable work effort to avoid transfers might be greater than merely typical work effort. Mead suggests something similar when he asserts that “the middle class and the poor appear to exemplify two different economic personalities. The first has responded to adversity with greater effort, the other with less” (1986, 83). But that approach then makes it more difficult to explain why the work rules allow mothers in two-parent recipient households to work less than most mothers.

Conversely, if one focuses only on two-parent households, one might argue that it is perfectly normal and legitimate for a parent to spend some time out of the labor market, or in it part-time, in order to care for a child. Thus, feminists committed to valuing family caretaking might sympathize with the two-parent rules (Alstott 1996; compare Mink 1998). But that approach then makes it more difficult to explain why the work rules never allow a single mother to prioritize care over employment. Because caretaking in two-parent households is figured as permissible nonwork, not as work satisfying the work requirements, there is no provision that explicitly differentiates caretaking in two-parent families from caretaking in single-parent families. Functionally, however, the rules are equivalent to counting caretaking as work in the former but not the latter.

These tensions could be resolved if policy relied on a theory of work requirements that forthrightly distinguished individuals in single-parent households from those in two-parent households, as a breadwinner-priority model does. A single mother would be required to work if she
received a means-tested transfer from the state and child support from an employed noncustodial father. She would not be required to work if she shared a household with him and they received a means-tested transfer. Certainly, arguments for favoring two-parent households over single-parent ones are common in welfare policy debates, but they are far more controversial than arguments for work (Mead 2005a). The case for work requirements would sound far different if they were advocated as a means to pressure single parents to form two-parent households (for which the work rules would be relaxed) rather than as a means to enforce a norm of self-support applicable to all adults.

Indeed, feminist scholars long have contended that restrictions on welfare eligibility, including work requirements for single mothers, can be understood in part as a project about family structure. Sharon Hays sees one dimension of the 1990s reforms as a “Family Plan,” in which “removing the safety net and forcing welfare mothers to work is actually a way to reinforce all women’s proper commitment to marriage and family” (2003, 18–19; see also Law 1983; Mink 1998). A complementary view ties harsh treatment to the racialization of single motherhood (Roberts 1997; Mink 1998). With these exceptions, however, the burgeoning literature on welfare family-formation policies systematically overlooks the work rules as one among several policy levers sensitive to family structure (e.g., Carasso and Steuerle 2005; Onwuachi-Willig 2005; Lawrence 2007).

In today’s political climate, many liberals might be open to a proposal to reward two-parent families with less stringent work rules. Such a proposal might promote certain family formation goals, despite weakening the demand for self-support. Feminist analysis, however, warns against uncritical acceptance of the household unit and instead emphasizes the importance of analyzing the dynamics within such households (England and Folbre 2005). Of particular concern here is a gendered division of labor in which breadwinning and caretaking roles provide unequal access to public entitlements.

Allowing one parent not to work constitutes a reward only if the parent in question prefers not to work. The benefit goes only to those two-parent households that adopt a breadwinner-caretaker division of labor, and such a division is almost certain to be deeply gendered. A dual-earner couple receives no benefit from being allowed to adopt a division of labor that it prefers to avoid. Moreover, work requirements often are tied to work supports. Therefore, not requiring work may actually harm a parent (more likely a woman) who would prefer employment but has a spouse who works enough to satisfy requirements. Such workers may go to the back of the queue for costly benefits (e.g., child-care assistance, training, or placements into subsidized employment programs) that go first to those who need them in order to comply with work requirements (Law 1983; National Child Care Information Center 2005, sec. 3.4.2).37

In contrast, the individualized work-obligation approach seemingly pri-
oritizes self-support through market earnings and avoids privileging any household structure as such. All transfer recipients must work. Yet here, too, the division of labor within two-parent households is at stake: both adults should work. Although some state TANF programs take this approach, implementing it for the EITC would require major changes. In two-parent households where one adult has few or no earnings, the household’s eligibility would be eliminated or its credit amount drastically reduced. One consequence would be that a single-parent household with a full-time worker (fully compliant with the EITC’s work requirement) would receive a larger transfer payment than a (noncompliant) two-parent household with the same cash income from one earner. The political implausibility of that result itself reveals just how tightly work requirements are bound up with the politics of family.

This last point also suggests how the nature of means-testing causes work requirements and household structure to interact. Were transfer eligibility rules in two-parent households to require that both parents work, then compliance would tend to eliminate eligibility by virtue of the associated increase in earnings. Broadening the analysis to include two-parent households reveals a lingering tension between the employment-promoting and antipoverty functions of the new work-based programs. Policies like earnings disregards and the EITC’s phase-in range mitigate these tensions for a household’s first earner but may fail to do so for a second. Two full-time earners will have too much income for TANF eligibility and be well into the phase-out range of the EITC. They also face substantially diminished eligibility and priority for child-care assistance. Indeed, the EITC, often lauded for supporting single mothers’ employment, appears to suppress married mothers’ employment (Eissa and Hoynes 2004). These difficulties will become increasingly important as the U.S. welfare state shifts to focus on so-called working families by supporting them with transfers concentrated on households that have incomes corresponding to one full-time, low-wage worker, but not two.

Underlying many of these tensions between means-testing and work-testing systems is the economic invisibility of family caretaking. Because neither the EITC’s nor TANF’s income tests include imputed income from a caretaker’s nonmarket work (Staudt 1996), transition between a breadwinner-caretaker division of labor and a dual-earner model causes measured income to rise. Consequently, means-tested benefits decline, regardless of how the cash income gained from wages compares to the lost value of nonmarket child care. Similarly, individualized work obligations mandate a dual-earner model only if nonmarket caretaking is excluded from the work recognized as contributing to the household economy.

Echoing Senator Long, the class-parity analysis posits a tension between single mothers who limit employment while providing care and their “sisters” (Mead 1986, 74) in dual-earner couples who struggle to maintain
employment with minimal support. It further suggests that welfare work requirements relieve that tension, as Long himself sought to do by opposing the Family Assistance Plan and championing the EITC. I would invert that project (Zatz 2006b). Studying the class-parity analysis’s failure helps to identify commonalities between these two sisters, revealing how contemporary social policy injures and divides them. The reformed welfare state still labors in the long shadow of the family wage.

Appendix

### Table A1

**Legal Authorities for State TANF Program Work Requirements, Tables 1–3**

<table>
<thead>
<tr>
<th>State</th>
<th>Legal Authorities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Ala. Code sec. 38-11A-4; Ala. Admin. Code r. 660-2.2.36(5)</td>
</tr>
<tr>
<td>Alaska</td>
<td>Alaska Stat. sec. 47.27.055(a); Alaska Admin. Code tit. 7, sec. 45.260(a)</td>
</tr>
<tr>
<td>California</td>
<td>Cal. Welf. &amp; Inst. Code secs. 11320.5(a), 11322.8; California Department of Social Services (2006, sec. 42-711.4)</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Connecticut Department of Labor (2002, sec. 1225(B)(5)(a), 1610 and appendix A)</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>D.C. Code secs. 4-205.19b, 4-205.19d; D.C. Mun. Regs. tit. 29, sec. 5804.2</td>
</tr>
<tr>
<td>Idaho</td>
<td>Idaho Admin. Code r. 16.03.08.163</td>
</tr>
<tr>
<td>Indiana</td>
<td>470 Ind. Admin. Code 10.1-1-2(c), 10.1-1-10-1; Indiana Family and Social Services Administration (n.d., secs. 2505.05.00, 2505.10.00)</td>
</tr>
<tr>
<td>Iowa</td>
<td>Iowa Code Ann. secs. 239B.8, 239B.18; Iowa Admin. Code r. 441-41.24(1), 441-93.109(1)-(2)</td>
</tr>
<tr>
<td>Kentucky</td>
<td>921 Ky. Admin. Regs. 2300E sec. 15, 2-370E sec. 2</td>
</tr>
</tbody>
</table>
Maryland Md. Ann. Code art. 88A sec. 48(b)(4); Code Md. Regs. sec. 07.05.03.07(1)
Massachusetts 106 Code Mass. Regs. sec. 203.400
Michigan Mich. Comp. Laws secs. 400.57e, if(2)
Mississippi Miss. Code Ann. sec. 43-17-5(6)(a),(c); Code Miss. R. 11-450 secs. 001(2017), 19990
Montana Admin. R. Mont. 37.78.806
New York N.Y. Soc. Serv. Law sec. 335-b
North Carolina North Carolina Department of Health and Human Services (2006), secs. 103(IV), 118(V)(A), 119(III)
North Dakota N.D. Cent. Code sec. 50-09-29(1)(h); N.D. Admin. Code 75-02-01.2-83, 75-02-01.2-84
Ohio Ohio Rev. Code Ann. Secs. 5107.42(A), 5107.43; Ohio Admin. Code 5101.1-3-01(F), 1-3-12(E)
Rhode Island R.I. Gen. Laws sec. 40-5-1-9(c); Code R.I. R. r. 15-020-002 sec. 0812.05
South Carolina S.C. Code Rets. 114-1160
South Dakota Admin. R. S.D. 67:10-01:12, 67:10-06:05:06
Tennessee Tenn. Code Ann. sec. 71-3-154(g); Tenn. Comp. R. & Regs. 1240-1-47.16, 1240-1-49.03
Utah Utah Admin. Code r. 986-200-210, 215
Washington Wash. Admin. Code sec. 388-310-0200; Washington Department of Social and Health Services (2007, sec. 1.2.2)
Wisconsin Wis. Stat. Ann. secs. 49.147, 49.15; Wis. Admin. Code DWD sec. 12.16, 12.27

Note.—Information is current as of March 2007. If both statutes and regulations applied, categorizations are based on the regulation when it is consistent with but more specific than the statute. Policy manuals or state plans are used in the absence of other authorities, or when given force of law by statute or regulation, or to clarify ambiguous authorities.
References


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Notes

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1. For simplicity’s sake, this study uses “single parent” and “two parent” to refer to the number of adults living in the household, included in the transfer unit, and subject to its work requirements. In TANF, states generally include all coresident coparents regardless of their marital status; treatment of nonparents varies greatly, but such adults generally face the same work requirements as parents if they are included in calculations of financial need. This article does not address child-only cases that include no adults in the determination of income eligibility. The EITC is available to two-parent households only if they include married adults of whom at least one is a coresident child’s parent; this excludes all unmarried pairings and includes stepparents.

2. These figures exclude jurisdictions that fund two-parent assistance wholly out of state funds not counted toward TANF maintenance-of-effort requirements. Fourteen states and the District of Columbia reported zero two-parent families on the caseload in 2007, despite having caseloads in 2000, before legal changes encouraged the shift to state-funded programs (U.S. Department of Health and Human Services n.d.).

3. Similarly, among food stamps households with at least one adult and one child, 30 percent have multiple adults (U.S. Department of Agriculture 2008).

4. For instance, the topic is not mentioned in any of the otherwise varied contributions to Mead and Beem’s volume, Welfare Reform and Political Theory (2005b). For a brief acknowledgment of the issue, see Orloff (2002, 108).

5. For a rare mention of single mothers’ work behavior, see Wax (2005).

6. White’s theory of “fair reciprocity” (2003, 8) likewise speaks of all citizens’ obligations and therefore implies that both adults in a two-parent household should be subject to
work requirements. Indeed, unlike Wax, White explicitly extends a work obligation to all who partake of the social product, not only to those who receive state-mandated transfers that modify a market baseline.

7. The 90 percent participation rate required for two-parent families after 1998 is much higher than the rate (50 percent after 2001) for all families (42 U.S.C. sec. 607 [2006]). This leads some commentators to characterize TANF’s work requirements as more stringent for two-parent households (Alstott 1999, 1015). However, many states use their own funds to assist two-parent families through “separate state programs” (45 C.F.R. sec. 260.50 [2008]). Such efforts are not subject to the federal 90 percent rate but nonetheless have work requirements and otherwise are integrated with TANF-funded programs.

8. Federal TANF provisions also differentiate core work activities that always satisfy work requirements from additional work activities that count only if they supplement core activities (42 U.S.C. 607 [2006]). The core requirements are 20 hours for single parents and 30 hours for two-parent families.

9. Many states’ rules focus on single-parent families and provide less detail about two-parent families; in these cases, ambiguities are resolved in favor of more stringent work requirements. Thus this usually moves the state toward the individualized work-obligation model. Alabama, Hawaii, Kansas, Maryland, Montana, Oregon, South Carolina, and Virginia lack any statute or regulation addressing hours of work generally, even for single parents, though they may still have subregulatory policies that lack the force of law. Some of these states specify hours for particular work activities. Illinois’s hours requirements vary by work activity, but in the one instance where they clearly address two-parent families, they are closer to an individualized work-obligation model than to a breadwinner-priority model (Ill. Admin. Code tit. 89, sec. 112.78).

10. Texas uses the same “one or both” language even when it requires 55 hours of work per week (Tex. Admin. Code tit. 40, sec. 811.25[d]). States frequently bar work assignments that exceed 40 hours per week but might still permit one parent to fulfill the entire work requirement if he or she chose to work that many hours voluntarily.

11. Oklahoma shifts from the Equal Hours column in table 1 to the More than Double Hours column in table 2 because the state requires one parent in a two-parent family to work more than a single parent (Okla. Admin. Code sec. 340:10-2-1[1]); New Jersey requires each parent in a two-parent family to work more than a single parent (N.J. Admin. Code 10:90-4.2; New Jersey Department of Human Services 2005).

12. Full realization of a breadwinner-priority model requires increasing single parents’ work hours above the current federal minimum. During the 2002–5 congressional debate about TANF reauthorization, most leading proposals would have done just that by raising the all-families requirement and eliminating separate two-parent rates (White House 2002; HR 4737, 107th Cong., 2nd sess. [2002]; HR 240, 109th Cong., 1st sess. [2005]; S 667, 109th Cong., 1st sess. [2005]).

13. In principle, lower levels of total work could be split equally. New Mexico expects only 40 hours total from a two-parent household but requires 20 hours from each parent (N.M. Code R. sec. 8.102.460.13[D]). Maine takes a similar approach.

14. Even so, actual work hours could be equal if one parent works more than is required.

15. Vermont also identifies one “principal earner” and another “primary caretaker,” but parents may opt out of this system (Code Vt. R. 13-170-003 secs. 2341, 2360-63).

16. In California, one parent must work at least 20 of the 35 hours required, but the other parent may work the balance (California Department of Social Services 2006, sec. 42-711.4). Oklahoma mandates a slight inequality, requiring one parent to work 35 hours and the other parent to work 30 (Okla. Admin. Code sec. 340: 10-2-1[1]).

17. Discretion among divisions of labor may redound to caseworkers, not parents, as is often the case with choices among permissible work activities (Zatz 2006a). No statute or regulation explicitly reserves to parents any control in this regard.

18. A substantial minority of states have their own EITCs, but these simply replicate the federal EITC’s basic structure (Okwuje and Johnson 2006).

19. The EITC cannot be claimed by taxpayers who are married but file separately.

20. The EITC for two-parent and single-parent households diverges slightly in the phase-out range, where the credit begins to decrease for married couples earning above $17,390 and for single filers earning above $15,390 (Tax Policy Center 2009a).

21. Mary Jo Bane and David Ellwood (1994) show that, among new AFDC recipients, half would exit within 2 years and most would receive welfare in no more than 4 of the
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succeeding 25 years. Long-term recipiency looks more important, however, when one considers their other findings. Of the AFDC caseload at any one time, fewer than 15 percent of spells in progress would last 2 years or less, and more than 90 percent of recipients would ultimately receive benefits in 10 or more years. More recent data show shorter TANF spells (Crouse, Douglas, and Hauan 2007). Examination of EITC dynamics is less developed, but available research shows that about half of all claimants over a 15-year period receive the credit for 2 years or less, but over 75 percent who claim it in any 3-year period claim it for all 3 years (Dowd 2005).

22. Although TANF permits states to provide assistance for 2 years before imposing work requirements, most states impose work requirements immediately (Rowe and Murphy 2008). The EITC allows no such waiting period.

23. States may compute TANF recipients’ weekly work hours by averaging all weeks in a month. The EITC measures work using annual earnings without regard to how they are distributed throughout the year.

24. This time span roughly matches the period leading up to the major reforms of the mid-1990s, but use of the time span comes at the cost of results less current than might be obtained by analyzing data from more recent years. Also, because mothers’ employment rates were increasing during the 1981–97 period, the influence of advancing child age on maternal employment is likely overstated. The data aggregate across different calendar years in order to disaggregate child age annually. The analysis excludes data from years when the youngest child was under age 1, thereby tracking TANF’s infant work exemption.

25. Relative to those tracked over child ages 1–5, for example, this subgroup includes more whites and fewer African Americans. It also includes more households with only one child and fewer with three or more children. With regard to work behavior itself, the subgroup is less likely to be working during child ages 1 and 2, but the magnitude and significance of these differences declines steadily over ages 1–5 and becomes statistically nonsignificant beginning with age 3.

26. Measuring work status using years, rather than months, simplifies the analysis for better and worse. Use of the longer time period results in overstatement of work continuity for part-year workers. Accounting for this phenomenon should only strengthen the argument that cross-sectional representations mask the degree of variation in work behavior over time. Part-year workers would run afoul of TANF’s work requirements but not the EITC’s.

27. Individuals engaged in substantial education, training, or community service activities may be coded as not working. This is consistent with a class-parity analysis’s use of labor market data to characterize work levels. These nonemployment activities are irrelevant to EITC eligibility but might satisfy TANF work requirements (Zatz 2006a). Therefore, the analysis may overestimate nonwork relative to the broader TANF definitions. The magnitude of this problem seems unlikely to be large. For instance, very few adults spend even 10 hours per week volunteering (Boras 2003).

28. Because child age is determined as of the interview date, mother’s work status from the prior year includes periods that precede the child’s birthday.

29. A similar pattern appears in the teenage years for the different subgroup of mothers tracked over child ages 1–17. When their youngest child was between 13 and 17, 51 percent either did not work or worked under 30 hours in at least 2 years (not shown).

30. Separate analyses (not shown) apply a weaker marriage constraint in examining mothers married continuously between child ages 6 and 12 (n = 337). The results show that these mothers are more likely to not work at all during this period than are mothers as a whole, but these married mothers also are more likely to work continuously. Fifty-nine percent are found to spend 2 or more years not working or working less than 30 hours per week (vs. 66 percent of all mothers).

31. Work patterns among high school graduates, graduates with some further college education, and college graduates do not differ to a statistically significant degree.

32. These data also provide a rough sense of the maximum distortion introduced by the fact that the current sample includes women who received AFDC, TANF, or the EITC in 1 or more years. In 1993, AFDC was received by 10 percent of all mothers, by 7 percent of mothers who graduated from high school, and by 4 percent of married mothers; of all mothers who lacked a high school degree in 1993, 76 percent did not receive AFDC (U.S. Bureau of the Census 1995).
33. White (2003) defends a combination of unlimited work-tested transfers and time-limited unconditional transfers.

34. Such a scenario appears to be plausible for a considerable portion of short-term recipients. Although Wood, Moore, and Rangarajan (2008) find that many TANF recipients lack substantial work history, the present analysis uses a lower threshold for counting someone as working. Using a somewhat more stringent definition than the one here, Pavetti and Acs (2001) find that approximately half of young women who ever received AFDC work steadily by ages 26 and 27. Cancian and Meyer (2000) find that over half of women who exited AFDC worked in at least 4 of the 5 succeeding years.

35. As with welfare spells, transfer recipients’ long-term work patterns appear quite heterogeneous (Wood et al. 2008; Wu, Cancian, and Meyer 2008). There are strong correlations between pre- and postentry employment.

36. For instance, it is not clear how to assess transfer recipients’ periods of nonwork outside the period of transfer receipt, or work that follows transfer receipt.

37. Analogous points underlie some feminists’ support for work requirements for single mothers. The support is contingent on the coupling of work requirements with adequate employment supports. The points in question complicate views (such as that of Mink 1998) that see single mothers’ selective subjection to work requirements as strictly punitive.