

# Women Workers and Their Dependents

## Under the 1950 Amendments

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*The amendments to the Social Security Act adopted in 1950 made several changes in the old-age and survivors insurance program that increase the protection afforded women workers and their dependents. Some of the new provisions were especially designed for the greater protection of the children of working mothers.*

SINCE 1939 the old-age and survivors insurance program has provided for benefits to certain family members who are deemed dependent on insured workers; the benefits are not restricted to those who are actually dependent, as established by investigation. This concept of deemed dependency makes possible the payment of the supplementary benefits as a right, without any investigation other than that necessary to establish age and relationship to the insured person. Under the 1939 amendments, a wife was deemed dependent on her husband and on that basis might draw benefits on his death or retirement. Children under age 18 were usually deemed dependent on their father; they were considered dependent on the mother only under certain, specified conditions. The 1950 amendments provide that in a wider range of circumstances children may be deemed dependent on the mother.

Congress, in setting up the insurance program, naturally considered first the traditional family, in which the man worked to support his wife and children. If the woman worked, her earnings were considered to be the support of the children only if the father had died or if the home was otherwise broken, with no support coming from the father. But there are an increasing number and proportion of families that do not conform to the traditional pattern, as is evidenced by the number of working women with children and

husband in the household. In the 1950 amendments, Congress recognized this development, which has resulted from changes in the economy and customs.

The increase in the number and proportion of women in the labor force has been striking. In 1950, 31 percent of all women 14 years of age and over were in the labor force. Twenty years earlier, the comparable percentage was 24. As of March 1950, working women who were married and living with their husbands outnumbered the single women in the labor force; there were almost 8.6 million married women as compared with 5.6 million single women. Nearly one-fourth (23.8 percent) of the married women who were living with their husbands worked outside the home. Although potentially any working woman, regardless of her age and marital status, may be supporting others, the greatest social concern at the death of a working woman is that there be continuing protection for her children. Studies by the Women's Bureau indicate that women work for the same reason that men do—to achieve a desired level of living for themselves and their families. The loss of the wages of the mother who normally works is of economic importance to her children, even though the father is in the household. The extent to which mothers of young children are now in the labor force is indicated by the tabulation shown in the next column.

In March 1950 there were 4.6 million women in the labor force who had children under age 18. This was

more than one-fifth of all the women who had children under this age. Those women who had children aged 6-17 only—that is, no preschool age children—were in the labor force in a greater proportion (33 percent), than all women past age 14. As might be expected, women who had children under age 6 but no children of school age were least likely to be in the labor force; even so, about 13 percent of these women were employed.

Even when the husband was in the household, the proportion of mothers who worked was not materially reduced. If women living with their husbands—a group not shown in the tabulation—are the only group considered, the labor-force participation of women with only preschool age children is 12 percent, and the rate rises to 28 percent for women living with their husbands whose children were aged 6-17.

Another change in family composition that influenced congressional thinking when the 1950 amendments were being considered is the increasing number and proportion of families broken by divorce, separation, or desertion. In April 1949, 1.6 percent of all men aged 14 and over and 2.2 percent of all women were divorced. In 1940 the comparable figures were

[Numbers in thousands]

Status of women with respect to children	Total number of women in population	Women in labor force	
		Number	Percent
All women.....	56,635	17,795	31
Women ever married, total.....	45,509	12,174	27
With no children under age 18.....	24,051	7,549	31
With own children under age 18.....	21,459	4,626	21
With children aged 6-17 only.....	8,930	2,925	33
With children under age 6 only.....	7,089	932	13
With children in both age groups..	5,440	769	14

Source: Based on Bureau of the Census, *Current Population Reports, Labor Force*, Series P-50, No. 29 (tables 3 and 4).

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1.2 percent for men and 1.6 percent for women. These divorce statistics show only the status at the time of the survey, since divorced persons who had remarried would be classed as married, and they do not include the number of homes broken by separation or desertion.

These three causes, plus the constant factor of death (the male death rate is higher at every age than the female rate) result in a large number of families with a woman as the head. As of April 1949, there were about 1.8 million families with one or more children under age 18 in which a woman (usually the mother) was the head. Actually the woman worker's responsibility for family support is generally understated, since the husband is always classified as the head of the family if he is present in the household even when he is not in the labor force. In the great majority of divorce and separation cases, the mother retains custody of the children and is confronted with their day-to-day economic needs. Many more fathers than mothers desert their children.

The complexity and irregular pattern of present family organization are indicated by the fact that in 1948 nearly 4 million children were living with only one parent, usually the mother. Of these children, about 1.5 million were living with a widowed parent and nearly 1 million with a divorced parent, and another 1.5 million had a parent away from home for various reasons that might or might not prevent the family from ever becoming "normal" again. Of the 39 million children living with both parents, including stepparents and adopting as well as natural parents, nearly 6 million had at least one parent who was remarried. About 87 percent of all children lived with two parents—natural or adoptive parents or stepparents; about 8 percent lived with one parent; and about 5 percent lived with neither parent. It is obvious that, if all children are to be protected by an insurance program, the economic patterns of the irregular or broken family must be taken into account.

In the 1950 amendments, Congress gave greater recognition to the mother's role in supporting her children.

The natural or adopted children of women who have had substantial covered employment in the 3 years before death are now deemed dependent on the mother and are eligible for benefits on her wage record, without regard to the father's presence in the household or his contributions to the support of the children. In addition, any mother, natural or adoptive, who dies after sufficient recent covered employment will have insurance protection for her children.

If the woman's relationship to the children is that of stepmother, the children are not deemed dependent on her on the basis of only her recent covered employment. There is less probability that the stepmother has actually been supporting the children, particularly if she was not living with them. Consequently, they cannot receive benefits based on her wage record without further evidence of support. The second wife of a divorced man, for example, is the stepmother of the children of his first marriage; the children may be living with their own mother and supported by their natural father, by a stepfather if the mother has remarried, or by the natural mother herself. The fact that the stepmother is currently working is no indication that she is supporting the children. In such a case, her death does not cause an economic loss to the stepchildren.

There may be a few cases in which a woman aged 65 has a child or adopted child under age 18. If she has been a regular, insured worker until she reaches this age, at her retirement her child is eligible for benefits on her wage record. The child is also eligible on the wage record of the father and may have the higher of the two benefits but not both.

When women die fully insured but without recent employment, the economic loss to the children is not so clear as it is in the case of mothers who had been earning recent wages. In such circumstances, further conditions are therefore imposed before benefits may be paid. The mother must have been living with the child or contributing to his support if the child was not living with or receiving

support from the father or adopting father. Benefits will also be paid on the mother's wage record if she has been contributing at least one-half the support of the child, even though the father or adopting father is a member of the household and has also helped to support the child. In these cases, the woman must have been either making a home for the child or contributing to the child's support, and benefits will be paid whether she was the child's natural or adopting mother or stepmother. Likewise, in those few cases in which the child loses the mother's support because of her retirement, benefits will be paid on her wage record subject to the same conditions described for the loss of wages because of death.

Two other changes made by the 1950 legislation affect children indirectly because they give additional insurance protection to the mother. Before September 1950 the children of a retired worker were eligible for benefits, but the wife was not eligible unless she had reached the age of 65. The amendments provide that the wife of a retired worker who has his children in her care shall be eligible without an age qualification until the youngest child reaches age 18.

The divorced wife of a deceased worker was formerly not eligible for benefits at his death, although the children under age 18 of the marriage could receive benefits. The amendments provide benefits for such a woman if she had been supported by the worker, for as long as she remains unmarried and has in her care a child under age 18 who is her child and is entitled to benefits on the deceased worker's wage record. There are restrictions to prevent the abuse of this provision; if the woman is the adopting mother of the child, she may qualify for benefits only if the adoption by herself or by both the former husband and herself had taken place during their marriage.

These changes will do much to give all children the protection of social insurance against the loss of their breadwinner, whether the family to which they were born becomes disorganized by divorce, desertion, or death and whether the mother

remains in the traditional role of homemaker or is, instead, the breadwinner.

There has been one other area of frequent dissatisfaction with the insurance program on the part of women workers, particularly those whose husbands are disabled or otherwise dependent on them. Since the 1939 amendments, which added benefits for dependents, the wife has been deemed dependent on the husband and at the age of 65 is eligible for a benefit as a wife or widow on the husband's wage record, without inquiry as to whether or not she was actually dependent on him. The presumption of her dependency is overcome only if she is entitled to an insurance benefit on her own wage record greater than that she might receive as his wife. The earlier legislation made no provision for benefits to a husband or widower on a woman's wage record. Often a woman is in the labor force because her husband is dependent on her as the breadwinner. Such a woman pays the same contribution as the man whose wife or widow is included in the insurance program, and she naturally feels that her contributions should purchase the same degree of family protection.

The 1950 amendments have resolved this inequity. The new law retains the concept of deemed dependency of the wife on the husband, which fits the usual family situation, but it also permits the husband or widower to become a beneficiary on the basis of the wife's wage record if he has in fact been dependent on her. The procedure for determining dependency is similar to that followed since 1939 for parents. The benefits for a wife and for a dependent husband are the same proportion of the insured worker's primary insurance amount; similarly, there is no difference between the benefit rate for a widow and that for a dependent widower.

These amendments affecting the dependents of women workers might be said to be justified by qualitative rather than quantitative considerations. No one provision will result in large numbers of additional benefits, and hence none will add much to the cost of the insurance program. The amendments affecting children are important only if the mother dies prematurely, since few women aged 65 or older will have children under age 18. The number of benefit payments to the children of women workers is thus limited by the death

rate, which is low for women at the ages at which they are likely to have young children. There will also be few dependent widowers. The average husband is a few years older than his wife, and the life expectancy of women is higher than that for men. In most cases, a wife who has been in the labor force will outlive a dependent husband, particularly since the dependency in most cases will have been because of the man's disability.

It is probable that the actual number of benefits paid on women workers' wage records will remain far lower than the ratio for women to men in the covered labor force would indicate. These amendments make it possible, however, to pay benefits in situations in which the former exclusion from benefits could not be justified from considerations of social utility or equity. They remove the grievance often voiced that the insurance program has treated many women with family obligations as though they were "pin-money" workers.

The best justification for these amendments lies in the feeling of security that they give a woman worker with respect to her dependents.

## Notes and Brief Reports

### Applicants for Account Numbers, 1950

The 2,891,000 employee accounts established in 1950 brought the aggregate number by the end of the year to 97,526,000 (table 1). The 1950 total sharply reversed the downward movement in the annual number of accounts established that had persisted since 1942; it represented a rise of 24 percent over the 1949 level and was larger than in any other year since 1946 (table 2).

The increase is attributable in part to the sizable expansion of job opportunities in 1950; many persons who could not find jobs during 1949, when employment opportunities were relatively scarce, postponed their application for account numbers until 1950. In addition, during October-

the Social Security Act adopted in August of that year.<sup>1</sup>

<sup>1</sup> For a discussion of the coverage provisions, see George J. Leibowitz, "Old-Age and Survivors Insurance: Coverage Under the 1950 Amendments," *Social Security Bulletin*, December 1950.

December 1950, account numbers were issued to a substantial number of persons in employments newly covered by the 1950 amendments to

Table 1.—Number of applicants for account numbers and the cumulative number as of the end of each period, by sex and by year, 1940-50

[In thousands]

Period	Total		Male		Female	
	Total during period	Cumulative total as of end of period	Total during period	Cumulative total as of end of period	Total during period	Cumulative total as of end of period
1940.....	5,227	54,225	3,080	37,342	2,147	16,883
1941.....	6,678	60,903	3,702	41,044	2,976	19,859
1942.....	7,638	68,541	3,548	44,592	4,090	23,949
1943.....	7,426	75,967	2,904	47,496	4,522	28,471
1944.....	4,537	80,504	1,828	49,324	2,709	31,150
1945.....	3,321	83,825	1,504	50,828	1,817	32,997
1946.....	3,022	86,847	1,432	52,260	1,590	34,587
1947.....	2,728	89,575	1,299	53,559	1,429	36,016
1948.....	2,720	92,295	1,305	54,864	1,415	37,431
1949.....	2,340	94,635	1,113	55,977	1,226	38,657
1950.....	2,891	97,526	1,405	57,382	1,485	40,142