

A progressive maternity law is not enough^[1]

With reports indicating that longer maternal leave may impact the hiring of women, experts argue that the answer is not less leave but the introduction of 'family' leave

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Source: Live Mint

Format: Article

Publication Date: 2 Jul 2018

AVAILABILITY

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EXCERPTS

Last year, the Union labour ministry increased the length of maternity leave from 12 to 26 weeks through an amendment in the Maternity Benefit Act, 1961. But experts and research suggest that not only do women continue to face discrimination—forcing many to quit work—they also remain fearful of using their full quota of maternity leave.

A recent study, *Predicament Of Returning Mothers*, by Ashoka University's Genpact Centre for Women Leadership (GCWL) found that new mothers returning to work face both "subtle and blatant discrimination". Even when they are reintegrated into the system, it found, they do not get the positions and roles they want. Rather, they are retrofitted into the system, often with lower designations and salaries, leading to a high drop-out rate.

After the legal amendment, a study by human resource firm TeamLease found that hiring of women may, in fact, fall, and an estimated 1.1 - 1.8 million women may lose jobs across 10 sectors in the financial year ending March.

GCWL director Harpreet Kaur says: "Paying the salaries of two employees for the same job, while one is away on maternity leave can stop firms from employing young women," she says.

Sairee Chahal, founder of SHEROES, a women's community platform, says women clearly don't use up all their leave because they are outnumbered in the workforce, and six months can be a long time for the employer.

"There is definitely a fear of losing your spot, or losing your space, or authority," says 34-year-old Divya Jain, who returned to work eight days after she had a child. But the chief executive of Gurugram-based Safeduate, a specialist in supply chain and logistics training, says her situation was different—she had a caretaker for the child and the support of the company board, which allowed her to work more flexible hours or take time off.

What, then, can be done to ensure women feel comfortable availing six months' maternity leave and returning to work?

'FAMILY', not 'maternal', leave

Meeta Sengupta, a fellow at Salzburg Global Seminar—a non-profit that hosts programmes on topics related to healthcare, education, economics, etc.—and a consultant on sustainability, education and skills, believes the "fatal flaw" in the maternity leave policy is that it remains gendered, and thus harms women by raising the cost of hiring them. She believes this should be changed to family leave, which can be shared by the parents. "Family leave must be shared between both spouses based on their needs, medical requirements and negotiations at the workplace so that all key projects, including the infant's welfare, can be served well," she adds.

Iceland, Finland and Sweden are examples of countries with gender-neutral paid-leave policies. Harpreet Kaur says parental leave allows women to share the workload of childcare with their partners. "A neutral parental policy sets the stage for a fairer division of labour and opportunity at work and at home," says Harpreet Kaur.

Chahal suggests a "family plan" which would ensure that if an employee—male or female—has a baby, the company provides a support system for the family as a unit, rather than just the employee. "A counselling programme would take away the loneliness and drudgery that come with new parenthood," she adds.

Engagement programmes

Mentorship and maternity management programmes can be designed to support returning mothers, easing their transition and boosting their career aspirations. "Some companies (Lupin, Coca-Cola India, Maruti Suzuki) have created 'buddy' programmes where managers continue to be in touch with women through regular career conversations during their leave to let them be aware of the roles they will return to," says Neha Bagaria, chief executive and founder, JobsForHer—a Bengaluru-based portal that helps women on professional breaks restart careers. Buddy programmes are being utilized as supervisory training programmes as well as employee-retention mechanisms.

S.V. Nathan, partner and chief talent officer, Deloitte India, says that in the eight weeks prior to a woman returning to work, companies should regularly update her about the work she would usually be dealing with, and explain how female employees can re-enter the workplace, to remove any doubts about the firm's intention. "Anything companies can do to alleviate the anxieties of appraisals when women are on maternity, and doing this in a transparent way, will help," he notes.

Career-reboot programmes

Experts say there is also a need to develop a formal path to employment for women who intend to resume corporate careers. Such programmes could offer a range of options, from 6- to 12-month internships, flexi-work and part-time and full-time assignments to work from home. "This helps mothers stay engaged with the company and return to their jobs, thus reducing the gaps in the talent pipeline," says Bagaria.

Coaching programmes starting with the pregnancy too could help address concerns about managing childcare with work, and boost self-confidence. "Training programmes on managing guilt, time management, decision making and reskilling are likely to result in women staying in the workforce post maternity," says Harpreet Kaur.

"At the end of the day, women need supportive managers, an organization that understands their special needs during the maternity phase," says Mahnaz Shaikh, head, diversity and inclusion, at Godrej Industries Ltd and associate companies.

Divide the parenting burden

Finland: Expecting mothers can start their maternity leave seven weeks before their estimated due date. The country also offers eight weeks of paid paternity leave.

Denmark: New moms get a total of 18 weeks of maternity leave at full pay. From that point on, parents can split 32 additional weeks of leave however they see fit.

Sweden: New parents in Sweden are entitled to 480 days of leave at 80% of their normal pay. Sweden is unique in that dads also get 90 days of paid paternity leave.

Iceland: Parents can split their nine months of post-childbirth leave straight down the middle. Each parent receives 80% of their salary while on leave.

Norway: Mothers can take 35 weeks at full pay or 45 weeks at 80% pay, and fathers can take between zero and 10 weeks depending on their wives' income.

—World Economic Forum

Region: Asia ^[3]

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