

Mother of all changes



ELLINOR FITZGIBBON EXPLAINS THE EFFECTS OF MATERNITY ON INDIVIDUALS, AND HOW FORTHCOMING CHANGES IN LEGISLATION WILL AFFECT EMPLOYERS.

Maternity leave is something no one takes much notice of until they are actually facing it. People don't sit and decide whether or not to have a baby while working for their current employers depending on the generosity of the maternity benefits.

Having a baby is a life-changing experience. You need to take maternity leave before the birth to prepare and sufficient maternity leave after the birth not only to recover but to spend quality time with your child. All that has to be fitted into the present statutory six months paid maternity leave.

I certainly was not prepared for my bundle of joy to arrive quite so early. I still had two weeks of work to wind down and hand over, but Emily arrived eight weeks early. I wasn't remotely organised, and didn't have time to relax and come to terms with saying goodbye to my old, fast-paced, hard-working, party animal way of life.

Instead, I found myself carted off to hospital on my way into work one Thursday morning and the baby was delivered by emergency caesarean early on the Saturday. Suddenly, I was a mum and work paled into insignificance while I came to terms with it all.

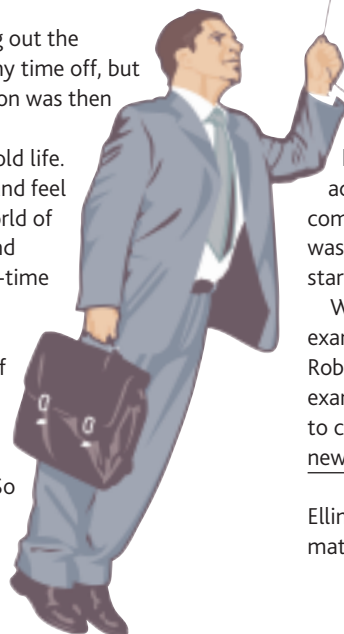
Naturally I contacted my workplace to let them know I was officially on maternity leave, but emphasised I was committed to make sure my work was taken on and looked after and that none of my clients or candidates were neglected. However, I subsequently discovered that women on maternity leave are not legally allowed to be involved with work.

Initially, I took this badly, with the pregnancy hormones still rushing about my body making me more stubborn than normal. The untimely departure gave me a sense of leaving a job half finished and I couldn't relax.

From my perspective I had been figuring out the possibility of working from home during my time off, but from an HR and legal perspective the option was then sidelined.

New mothers can feel cut off from the old life. So to be able to keep in touch with work and feel as if you are contributing a little to the world of industry keeps you in touch with reality and makes it easier to return to work from full-time motherhood.

It is hard to see the logic of the rules surrounding maternity rights, the length of leave and flexible working hours on returning from maternity leave. Clearly, it is difficult for legislation to take account of the myriad of different circumstances. So when it comes to putting legislation into practice, it is not always so



BOX 1. Main proposed changes

Maternity pay will change from six months to nine months for all pregnant women, regardless of length of service in the company.

Fathers will receive up to six months additional leave, some of which could be paid-for if the mother decides to return to work.

Mothers will be required to give two months' rather than one month's notice of their intention to return to work. This is a positive change for employers and will help planning.

Employers will have the right to make reasonable contact with employees on maternity leave.

Mothers can return to work for a limited number of 'keeping in touch days' without losing maternity payments or ending their maternity leave. Keeping in touch days must be mutually agreed between employer and employee.

The new proposals look reasonable, but safeguards are needed so that a mother on maternity leave is not exploited by being forced to work excessive hours.

straightforward. The law on maternity and paternity rights is evolving but there will never be an ideal solution that combines parenthood and the pursuit of a career. From April 2007, under the Working and Families Act 2006, there will be changes in the current legislation. This law is seen as a step in the right direction, and would certainly have helped me.

The proposed changes look good for families: more money, flexibility and time with the new baby. But the main concern surrounds smaller employers. At the moment small firms do not have to offer maternity benefits. Now, as well as the costs of administering those benefits, small firms will have to offer women coming back from maternity leave the same or similar position that was theirs before they left. The fear is that smaller employers will start to avoid employing women of child-bearing age.

While maternity legislation is still evolving, businesses need to examine their attitude towards working parents. My employer, Robert Walters, has been really good to me. All businesses need to examine how flexible they can be so that new parents can continue to contribute to the success of the business while dealing with their new responsibilities.

Ellinor FitzGibbon of Robert Walters Treasury is currently on maternity leave.