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Taking a Positive Approach to an Employee's Maternity Leave

By PAMELA RYCKMAN

LISA LANDRY, president and chief executive of [Print Savvy](#), a marketing company in Manchester, N.H., has seven employees and has managed seven maternity leaves — including three of her own — since opening in 1998.

When two long-term employees decided to stay home after their maternity leave, they told Ms. Landry soon after their babies were born. She appreciated the advance notice because it allowed her to shift their workloads and hire replacements in a timely manner.

She felt differently, however, when a new, underperforming worker returned from her honeymoon pregnant, took 12 weeks of leave with full benefits and partial pay from Print Savvy's disability policy, then quit unexpectedly after two days back at work. Ms. Landry and other colleagues had been working overtime to cover the new mother's accounts and felt blindsided by the last-minute news.

"I really do empathize with the desire to stay home with your children," Ms. Landry said. "You can't know how you'll react until you hold that baby." But in this case, Ms. Landry said she believed the woman had no concern for the impact on the business. "She knew she wasn't coming back, but I had to hold her job. I felt burned."

Maternity leave can be tricky for small-business owners like Ms. Landry. The Family and Medical Leave Act of 1993 mandates that companies with more than 50 employees offer eligible workers 12 weeks of unpaid leave with benefits and job protection after the birth or adoption of a child. While some states have laws that apply to smaller companies, the decision to offer maternity leave, even without pay, can be entirely at the owner's discretion.

Even employers who want to be fair and compassionate can suffer anxiety over the potential loss of a top performer or even an average worker trained in an essential role.

The obvious question is, How do you support your staff and still protect your business from unnecessary hardship and losses?

There is no way to guarantee that an employee will return once the baby arrives, but you can smooth the transition and manage the process in a way that engenders loyalty and long-term retention. Here are some suggestions from owners who have shared their experiences.

COMMUNICATE OPENLY Employers need to understand that certain life events, including childbirth, illness, accidents and [elder care](#), will affect employees' careers. Acknowledging and planning for these episodes gives your staff members peace of mind, enabling them to focus on work, and helps you avoid an 11th-hour scramble when an employee needs to be out of the office.

"I like transparency," said Dr. Mike Deck, who runs a practice of seven pathologists in Plano, Tex. "We talk about these issues openly to ensure everyone is in agreement." When one of his employees, Dr. Rachel Rucker-Schmidt, became pregnant, he assembled her co-workers to divide her assignments during her six weeks off. Later, another doctor took extended leave after his father died unexpectedly, and Dr. Rucker-Schmidt "was the first in line to help," Dr. Deck said.

"This is not just a women's issue," said Cali Williams Yost, chief executive of the [Flex&Strategy Group](#), a consulting firm in Madison, N.J. "Of all the work-life challenges business owners face, maternity leave should be the easiest because you can plan for it. But you need to encourage employees to come to you freely and with a problem-solving attitude."

INVOLVE YOUR EMPLOYEE Ask her to prepare an initial proposal to use as a starting point in your discussions. Focus on how the work will get done, not why the hand-off is necessary. Ask her to cross-train other employees and, when necessary, let her introduce her temporary replacement to clients. Assume she is coming back.

"These conversations make people feel valued by the organization," Ms. Yost said. "If you don't have them, you risk disengagement and bad morale."

Colleagues know the extra burden they shoulder during a maternity leave is temporary, and you as the boss can use this opportunity to stretch them with additional responsibilities to determine their readiness for promotion. If staff members feel respected and heard, a small team can be an advantage when life events intervene.

CONSIDER FLEXIBLE SCHEDULES Many small-business owners cannot afford to compensate employees during maternity leave. Some, like Ms. Landry, buy disability insurance

that pays about 60 percent of an employee's salary; others have workers use accrued vacation and sick leave.

Integrating flexibility into your employees' workday can allow you to compete with the more generous offerings of large firms to retain top performers. Flex time need not be an explicit policy, but parents appreciate employers' willingness to accommodate their needs.

"Work-life lines are so blurred today," said Amy Weir, human resources director at [Leapfrog Online](#), a digital direct marketing company in Evanston, Ill., who returned to the company after giving birth to her second child. "If people are thinking about work and answering e-mails beyond the typical 9-to-5 workday, you want to understand when things come up."

Deborah Perry Piscione, co-founder of [BettyConfidential.com](#), an online magazine, says she tries to hire passionate workers with an entrepreneurial mind-set and then gives them the freedom to manage their own time. "We work very hard, but we listen and treat people with respect," she said. "If someone goes to a parent-teacher conference, a sporting event or a play group, it's fine if the work gets done. It's based on trust."

These measures may prove worthwhile when weighed against the cost to recruit and train a new hire. "It's much more expensive to find someone new," said Scott Hauge, president and chief executive of [Cal Insurance & Associates](#), an insurance agency in San Francisco. "It takes months before new employees are fully functional, and there's no guarantee they'll mesh with our culture."

DON'T FRET ABOUT INCONSISTENCY By law, small businesses can work with individual employees to develop discrete solutions.

"You want to leave yourself some flexibility," said Eddie Isler, a labor and employment lawyer in Vienna, Va. "If a real superstar gets pregnant, you might want to do more for her than for a mediocre employee." Mr. Isler's firm of nine lawyers and four staff members has no written maternity-leave policy.

Large companies have multiple employees performing similar tasks, so they must be mindful of setting precedents; blanket policies guarantee equal treatment and protect against charges of discrimination. Small firms, however, often have only one person in each function, permitting owners to make exclusive provisions based on an employee's duties, tenure and performance.

For instance, you might allow an employee in an autonomous role who does not interact regularly

with other staff members to work from home for weeks after her official maternity leave expires. Obviously, this arrangement would not work for a receptionist, whose job requires her constant presence, or for a project manager whose clients or team relies on her daily guidance.

While differentiating is legally permissible, you should assume that any disparity will surface. Even if you can address and justify such treatment, you may experience emotional fallout from employees who resent the favoritism they perceive.

Keep in mind that maternity leave becomes even more complicated with alternative family structures, and as men take a more active role in parenting. For example, any additional time offered beyond what is medically necessary for the mother to recover from childbirth can be considered “bonding leave” and may be expected by adoptive parents and male employees whose wives have given birth. As these complexities arise, you may want to hire a lawyer.