

# Roundtable: Everything You Need to Know About Taking & Returning From Parental Leave

## Center for WorkLife Law Roundtable Discussion

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WOMEN'S LEADERSHIP  
**EDGE**

An Initiative of the Center for WorkLife Law  
at UC Hastings College of the Law



REAL-LIFE  
SOLUTIONS



PRACTICAL  
ADVICE

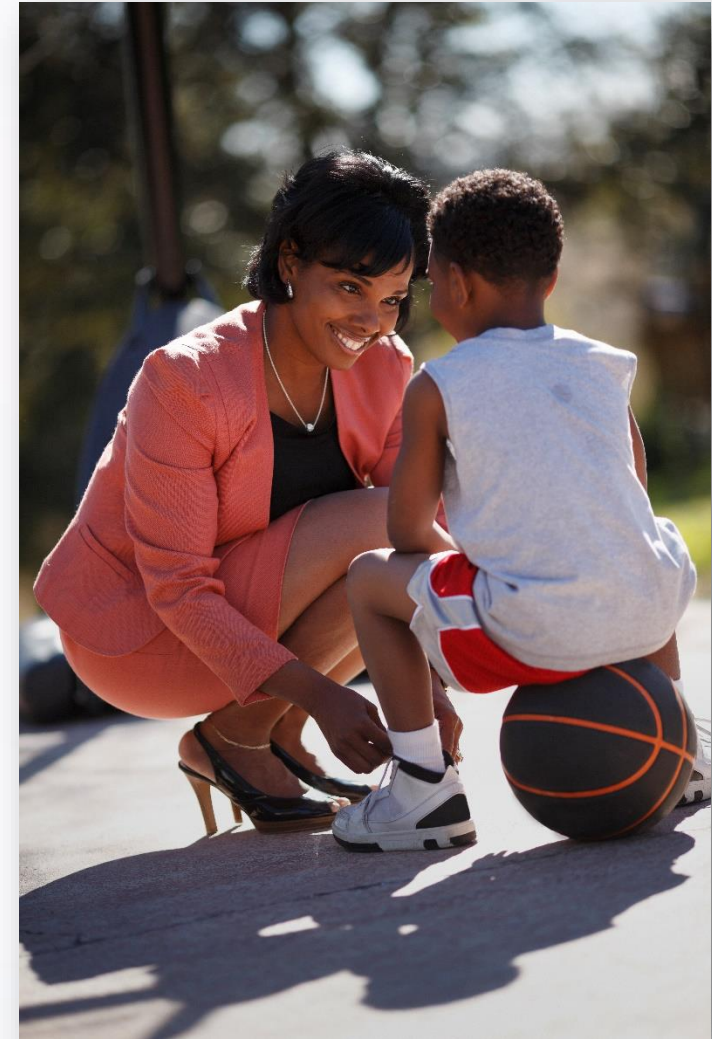


SOCIAL  
SCIENCE

## Be Aware – Bias against mothers:

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- Negative assumptions: less committed & competent
- Strategy: emphasize high commitment & competency





## ***When should I talk about my pregnancy with my boss and coworkers?***

## When to tell work about your pregnancy

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### Key Considerations:

- Personal and workplace culture
- Planning needs
- Accommodation needs

## *How to tell work about your pregnancy (tips/best practices):*

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- Emphasize commitment to the job
- Be mindful of who knows “first”
- Don’t prematurely commit – do your homework
- Set second meeting to discuss details, and come prepared with a plan
- Resolve ambiguity
- Visit [PregnantAtWork.org](https://PregnantAtWork.org) for more

## *What if I need job modifications for pregnancy?*







## What fathers today want:

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*“What advice would you give to other men about taking parental leave?”*

*“Take as much as you possibly can.”*





## What fathers today want:

*"I want to advance my career even if it means less time with my family/on my personal life."*

*- 64% of fathers disagreed or strongly disagreed.*

"The New Millennial Dad: Understanding the Paradox of Today's Fathers," Boston College (2016). Harrington, Sabatani Fraone, Lee & Levey.

[https://www.bc.edu/content/dam/files/centers/cwf/research/publications/researchreports/The%20New%20Millennial%20Dad%202016\\_Understanding%20the%20Paradox%20of%20Today's%20Fathers](https://www.bc.edu/content/dam/files/centers/cwf/research/publications/researchreports/The%20New%20Millennial%20Dad%202016_Understanding%20the%20Paradox%20of%20Today's%20Fathers)





## *Bias against fathers?*





## *Preempt bias against dads*



Available at Etsy: [https://www.etsy.com/listing/580142234/motorcycle-t-shirt-biker-t-shirt-this?ga\\_order=most\\_relevant](https://www.etsy.com/listing/580142234/motorcycle-t-shirt-biker-t-shirt-this?ga_order=most_relevant)

## How much leave *can* I take?

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- Do your homework: HR/Employer policies, common practice, legal requirements
- Consider: job protection, income replacement, benefits
- Think about pregnancy disability leave & childcare leave
- Men should be treated the same
- Visit [babygate.abetterbalance.org](http://babygate.abetterbalance.org) for info on legal requirements



## How much leave *should* I take?

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- Considerations:
  - Leave available
  - Personal factors
  - \$\$
  - Job factors
  - Precedent/politics
  - Childcare





## *How can I ensure my work is covered while I'm out?*



## Ensuring coverage at work

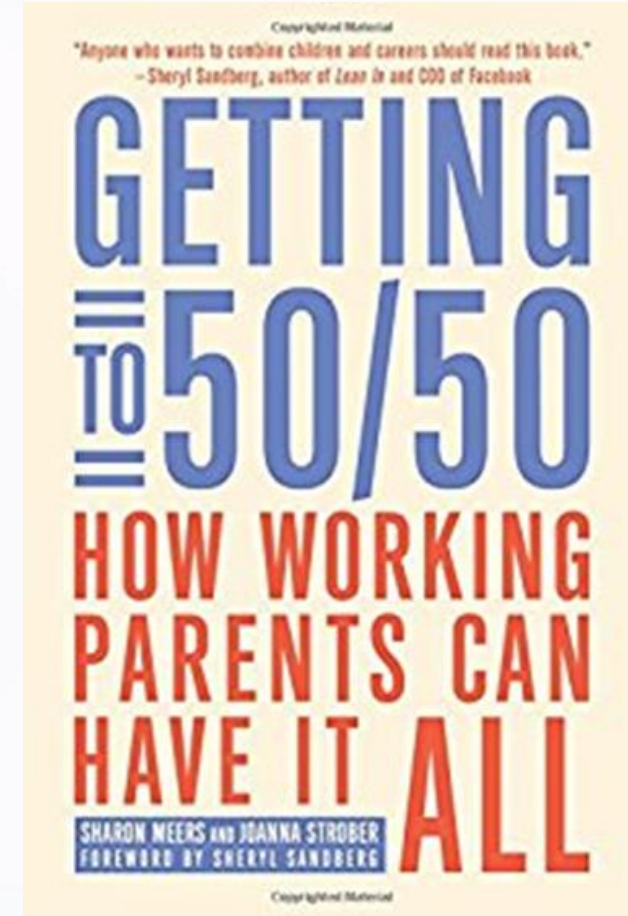
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- Assess and goal set, *then* plan
- Use your leave memo as a multi-purpose tool
- Set clear responsibilities
- Consider hiring a temp
- Watch your timeline!



*Coverage at home –  
How to manage  
roles & responsibilities with partner?*

- Making lists
- Refining the lists
- “Gatekeeping”



## *Should I communicate with the office during my leave?*

*Cannot* penalize against employees or retaliate for taking leave

*Cannot* require people on leave to perform work – interference with FMLA leave

*Can* contact occasionally to obtain vital information

➤ De minimus contact ok, provided employee not required to produce work product

Allowed	Not Allowed
De minimus contact	Asking them to perform work during leave or asking/causing them to return early
Occasional, brief contact	Frequent contact
Contact re administrative matters or vital information	Contact re substantive, work-related matters
<p>Examples:</p> <ul style="list-style-type: none"> <li>• Asking them to sign time-sensitive paperwork</li> <li>• Brief, infrequent calls asking where to find files or other items</li> </ul>	<p>Examples:</p> <ul style="list-style-type: none"> <li>• Asking them to produce work/complete assignments</li> <li>• Asking/suggesting that they return early</li> <li>• Expressing concern about work that's piling up</li> </ul>



## ***What are strategies for a smooth return to work?***



## Setting yourself up for breastfeeding success

- *Plan early*
- *Have a work-only set of pumping gear*
- *Be prepared to educate*

See our guide ***Talking to Your Boss About Your Pump*** for more!

[www.pregnantatwork.org/Breastfeeding-Workers](http://www.pregnantatwork.org/Breastfeeding-Workers)



## Changes to your work methods or expectations

- Travel?
- Reduced hours?
- Change baseline hours?
- More/(less) remote work?
- Availability outside "normal" work hours?

**Resource: *Flex Success: The Lawyer's Guide To Balanced Hours***



## Leave Best Practices – 3 Meetings

- **Meeting 1:**
  - 3-6 months before leave is scheduled to start
  - Develop plan for transitioning work:
    - Congratulate & reassure
    - Discuss what work can be completed
    - What must be transitioned (be realistic)
    - Solicit ideas for transition plan
- **Meeting 2:**
  - 4-6 weeks before leave scheduled to begin
  - Finalize work transition plan:
  - Ask: what are your current thoughts re return? FT or PT? Gradual return?
  - Ask: feedback on transition plan from colleagues?
  - Ask: anything else the organization can do to facilitate this process?
  - Mention lactation accommodation policy
- **Meeting 3:**
  - Ideally, to occur on employee's first day back to work after leave ends
  - Congratulate the parent and catch up
  - Discuss transition plan with parent
  - Establish basic plan for post-leave return
  - Discuss transition plan with colleagues
  - Discuss lactation issues, needs for accommodation