

Equality Commission

FOR NORTHERN IRELAND

*FORMAL INVESTIGATION*

# *Expecting Equality*

A formal investigation into the treatment of pregnant workers and mothers in Northern Ireland workplaces

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Finally, we acknowledge the contribution made by Commission staff, in particular, Rosalynd Harkness, in conducting this investigation.

## Executive Summary

On 15<sup>th</sup> January 2015 the Equality Commission for Northern Ireland began a formal investigation under the Sex Discrimination (Northern Ireland) Order 1976 (as amended) into the treatment of pregnant workers and mothers in Northern Ireland workplaces.

The focus of the investigation was the workplace experiences of women and the current policies and practices of employers.

The aims of the investigation were:

- to assist the Commission to evaluate the extent to which women in the Northern Ireland workforce experience unfair treatment during pregnancy, maternity leave and/or on return to work, and
- to identify the barriers to equality of opportunity as perceived by female employees, and
- to identify good practice by employers.

In conducting this investigation, the Commission wished to be as participative as possible and to gain both quantitative and qualitative evidence from individual women, employers and other stakeholders. Evidence was collated through online surveys, focus groups and submissions.

In total 906 women informed the investigation of their personal employment experiences through an online survey and 62 women, related their personal stories through focus groups held across Northern Ireland or through individual submissions. Their experiences informed the investigation about unfair treatment and disadvantage experienced as well as the supportive practices of employers.

Employers were also invited to contribute through an online survey; 58 employers responded providing information about their experiences of managing pregnancy, maternity leave and return to work and related challenges for their organisations.

Submissions were also sought from a range of stakeholders including business associations, voluntary and community organisations, health organisations and trade unions. These were received from one business association and three Trade Unions.

Our investigation has found that, despite the specific provisions in legislation protecting pregnant women and mothers from discrimination in the workplace, women in Northern Ireland continue to experience unfair treatment and disadvantage as a result of their pregnancy or having taken maternity leave.

Although just under half of the women responding to our survey [48.1%] believed that they have been treated fairly by their employer, a significant number of the women [36%] believed that they have been treated unfairly or disadvantaged at work due to their pregnancy or having taken maternity leave. A further 16% of women were unsure about the treatment they experienced.

Women's responses to the online survey and the personal stories related through focus groups or individual submission identify a range of unfair treatments and disadvantage experienced across employment and industry sectors.

Women commonly reported negative employment experiences, such as failure to consider or address risks to health and safety, detriment to career advancement and pay, being subjected to negative or inappropriate comments and loss of job.

More than half of the survey respondents who had been treated unfairly [52.9% of 225 respondents] reported employer failure to consider risk to health and safety; two out of five respondents [40.2%] had work duties changed against their wishes; one in five lost their job [20.4%] and over half [55.9%] had received negative or inappropriate comments from managers or colleagues.

Such negative employment experiences had a wide impact on women's personal and working lives. Women responding to the survey reported negative impacts on mental health [73.1% of 293 respondents], on self-esteem and self-confidence [88.4%], on family life [71%] and career [77.1%].

However, half of the survey believed their career opportunities to be worse than before their pregnancy [50% of 893 respondents] and this was not only those who had been treated unfairly. Women believed that certain organisational policies created barriers to equality of opportunity and that they experienced detrimental effects of working reduced hours and of negative attitudes to working mothers.

Unfair treatment by an employer influenced women's decisions to leave their job or to return to work following maternity leave. Poor employment experiences were said to damage working relationships; highlight unfavourable attitudes towards working mothers and organisational barriers to equality of opportunity. However, societal and economic factors also played a role. Women on low incomes, in particular, left work due to the cost of childcare and a lack of opportunity to work flexible hours. Almost half of the women earning less than £20,000 per annum did not return to work following maternity leave [46.5% of 86 respondents].

Regardless of the good level of awareness of employment rights amongst women who responded to the online survey there was a reluctance to seek formal redress.

Taking such action was viewed as too stressful, costly, possibly career damaging or ultimately futile.

Many of the 58 employers who participated in our investigation reported that they were well prepared for managing pregnancy, maternity leave and return to work, having sufficient knowledge of their legal obligations and having appropriate policies in place. The majority believed that their organisation was supportive to pregnant employees and new mothers [81%] and agreed that motherhood had no impact on decisions made regarding an employee's career progression/promotion [72%].

There is some disparity, however, between the perceptions of the women participants in this investigation and those of the employers who contributed. Around half of the women who responded to our online survey and those who participated through focus groups believed they were supported by their employer during their pregnancy, maternity leave and on return to work.

There is no doubt that many employers responding to our survey see the value of supporting and encouraging pregnant employees and mothers. Many employers have the policies and practices in place to manage pregnancy/maternity; to continue to meet business needs and to minimise the impact on colleagues.

Indeed, many women confirmed that they had been treated fairly and had found their employer supportive. They had encountered organisations which managed pregnancy, maternity leave and return to work effectively, provided a family friendly work environment, made necessary adjustments to work load and work environment and who communicated well with employees.

However, some employers found aspects of managing pregnancy/maternity challenging. Employers found issues such as managing the impact of employee absences, the time and costs of arranging and training cover for maternity leave and accommodating flexible working requests as most challenging for their organisations.

Some employers expressed difficulty in keeping up to date with changing legislation [38%]. Some employers subscribe to harmful stereotypes about pregnant employees and working mothers. For example, just under one third of the employers [36%] believed that some employees abused their rights during pregnancy, maternity leave and return to work, while approximately one out of six employers [17%] believed that employees returning from maternity leave were less committed to their work than colleagues. Such views may reflect the experiences and challenges identified by some employers in meeting and understanding their legal obligations and indicate that some organisations require support.

Overall the investigation has revealed that despite good employer practices which undoubtedly exist and which are reported in this investigation report, a significant number of pregnant employees and working mothers in Northern Ireland continue to face barriers to equality of opportunity in employment. It also reveals that action is required to support women in the labour market and to provide support and guidance to employers to manage pregnancy, maternity leave and return to work.

These barriers to equality of opportunity can impact on women's capacity to do their jobs to the best of their ability, hinder career opportunities and damage working relationships and may lead to unemployment. These barriers can arise from personal attitudes, organisational policies and structures and also from wider societal and cultural norms.

- **Personal attitudes and behaviours:**  
Attitudes held about pregnant employees and working mothers which are largely based on negative stereotypes.
- **Organisational policies and structures:** organisational policies and structures may disadvantage pregnant employees and working mothers or create an organisation which is unwilling or unable to be flexible or adapt to change;
- **Societal or cultural norms:** societal or cultural norms refer to the norms which determine women's roles in society and the devaluation of those roles; economic factors determining women's participation in the labour market, and the lack of sufficient affordable, quality childcare in Northern Ireland.

## **Recommendations**

The recommendations of this investigation are evidence based. They aim to promote change at an individual, organisational and societal level and to contribute to making Northern Ireland workplaces fairer and more supportive of pregnant employees and new mothers.

The findings of the investigation indicate that action is required in the following areas:

Improving Access to Information and Advice

Improving Employer Practice

Leading Change



**It is recommended that there is improved access to advice and information for women:**

- The Equality Commission will encourage improved access for women to advice and information on employment rights during pregnancy, maternity leave and on return to work. This will include reviewing the availability of information from a range of sources and working with others to develop accessible, comprehensive, web based guidance in relation to pregnancy and maternity rights.

**It is recommended that there is improved access to advice and information for employers.**

- The Equality Commission will work with a range of partners to ensure that employers have access to 'best practice' guidance. This will include help with ensuring up to date knowledge of relevant legislation, managing the impact of employee absence and other issues relating to maternity leave.
- The Equality Commission will develop and publish new wide ranging and accessible guidance on its website for those employing pregnant women and mothers.

## **Improving Employer Practice**

**It is recommended that employers:**

- **implement policies** and practices to effectively manage pregnancy, maternity leave and return to work;
- **communicate** with employees in order to promote understanding of the needs and expectations of both parties;
- maintain **reasonable contact** with employees during maternity leave;
- provide a **family friendly** working environment for working mothers on return to work, including the adoption of flexible working policies and practices.

**It is recommended that employers review their existing or developing policies, practices and procedures with a *specific focus* on:**

- Addressing the risks to the **health and safety** of pregnant employees, including giving consideration to adjustment to work load and work environment during pregnancy and arrangements for breastfeeding mothers post maternity leave.
- Minimising impacts on **career progression** on pregnant employees and those on/returning from maternity leave - such impacts may include dilution of work responsibilities or otherwise being marginalised; being excluded from training or other progression opportunities; being overlooked for promotion opportunities; unlawful termination of employment.
- Eliminating potential negative impacts on **earnings** such as non-payment or reduction of pay rise or bonus payments.
- Ensuring a workplace where there is zero tolerance of inappropriate or **negative comments** for example comments, explicit or otherwise, implying that pregnant employees or those returning from maternity leave are less committed or less able.

## **Leading Change**

**It is recommended that relevant Executive Departments work in partnership with the Equality Commission and other appropriate organisations to:**

- Develop and communicate the economic benefits of utilising and retaining the skills and experience of pregnant women and new mothers, and develop effective approaches to attracting, developing and retaining women in the workforce before, during and after pregnancy.
- Raise awareness of the rights of pregnant women and new mothers and employers' responsibilities towards them; and to ensure continued access to justice for women who have experienced discrimination.
- Monitor progress by tracking mothers' experience of their treatment in the workplace.

This Investigation also provides powerful evidence which supports previous recommendations made by the Equality Commission in respect of the development of a gender strategy for Northern Ireland, namely to:

- Encourage employers across all sectors to show leadership at a senior level to gender equality and to building an organisational culture that promotes gender equality in the workplace.
- Encourage flexible working practices and the equal sharing of family roles/responsibility between women and men including the monitoring the implementation of the Work and Families Act (NI) 2015.
- Reduce sex discrimination in employment, particularly in the area of pregnancy and maternity discrimination.
- Develop and implement an effective Childcare Strategy that ensures appropriate, accessible and affordable childcare provision.

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# 1. Introduction

The Equality Commission for Northern Ireland is required to work towards the elimination of sex discrimination, and to promote equality of opportunity between men and women. We can conduct formal investigation for any purpose connected with the performance of those duties.<sup>1</sup> On 15<sup>th</sup> January 2015 we launched an investigation into the treatment and experiences of women in the workplace; who become pregnant; who take maternity leave and who return to work.

## 1.1 Statutory Protection

### Anti-discrimination provisions

European Union Law<sup>2</sup> gives women who are pregnant or on maternity leave protected status in Employment so that, for example, they cannot be dismissed other than in exceptional circumstances unconnected with their pregnancy or maternity leave.

In Northern Ireland, the Sex Discrimination [Northern Ireland] Order 1976 (as amended) makes direct and indirect gender discrimination unlawful and includes specific provisions to protect pregnant women and new mothers from discrimination in the workplace. Article 5(A) makes it unlawful to treat a woman less favourably because she is pregnant or has taken maternity leave. Whilst the Order does not set out examples of what might constitute less favourable treatment, European case law suggests that any potentially disadvantageous treatment based on pregnancy or maternity leave is likely to be regarded as discriminatory.<sup>3</sup> Also of some assistance is the GB legislation<sup>4</sup> which lists actions which are potentially discriminatory i.e.

- failure to consult a woman on maternity leave about changes to her work or about possible redundancy;
- disciplining a woman for refusing to carry out tasks due to pregnancy related risks;
- assuming that a woman's work will become less important to her after childbirth and giving her less responsible or less interesting work as a result;
- depriving a woman of her right to an annual assessment of her performance because she was on maternity leave; and
- excluding a pregnant woman from business trips.

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<sup>1</sup> Sex Discrimination(NI) Order 1976 as amended arts 54(1) and 57(1)

<sup>2</sup> The Pregnant Worker's Directive (92/85/EEC) and the Equal Treatment Directive (06/54/EEC)

<sup>3</sup> Case C-177/88 *Dekker v Stichting Vormingscentrum voor Jonge Volwassen* [1991] IRLR 27 and Case C-32/93 *Webb v EMO Air Cargo (UK) Ltd* [1994] IRLR 482

<sup>4</sup> The Equality Act 2010



## **Additional statutory rights**

Employees who are pregnant or on maternity leave have additional statutory maternity rights that complement and enhance their rights under anti-discrimination legislation.<sup>5</sup> These are set out in more detail in Appendix 4.

## **Equality of Opportunity**

Statutory provisions only establish a minimum level of protection that employees are entitled to receive. The concept of Equality of Opportunity is wider than merely avoiding discrimination and complying with other statutory requirements. Employers seeking to promote Equality of Opportunity may provide contractual terms which are more favourable than required, for example, providing flexible and family friendly policies that facilitate the balancing of work and, in the context of this investigation, having and raising children.

## **Our Investigation**

This general formal investigation will consider the treatment and experiences of women who become pregnant and who take maternity leave in the following areas:

- working during pregnancy
- during maternity leave, and
- on returning to work.

In considering the experiences of women and of employers we aim to:

- Identify good and bad practice in respect of the promotion of equality of opportunity.<sup>6</sup>
- Identify barriers to equality of opportunity as a result of pregnancy.
- Make recommendations which we consider necessary or expedient to promote equality of opportunity.

The investigation has been as participative as possible, involving both women and women's organisations, as well as employers, business organisations and advice organisations. In doing so, we gained insight into the experiences of women in employment, and the practices of and issues faced by some employers. On line surveys were conducted drawing respondents from a significant number of pregnant women/working mothers<sup>7</sup> and to a lesser extent employers<sup>8</sup>. Information was also

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<sup>5</sup> Employment Rights (NI) Order 1996 (as amended) and associated legislation.

<sup>6</sup> As this is a general investigation pursuant to Article 58 (3), this does not extend to an investigation of whether any person has or is committing an unlawful act.

<sup>7</sup> 906 women responded to the survey

<sup>8</sup> 58 employers

gathered from individuals and pregnant women/mothers meeting in focus groups spread across NI.<sup>9</sup>

### **Timeliness**

This year marks the 40<sup>th</sup> anniversary of the Sex Discrimination (Northern Ireland) Order 1976. Although there are a number of pieces of legislation which cover the treatment of pregnant women and of mothers/parents at work, an investigation will provide a timely indication of the impact of the legislation to date.

### **Women in the Northern Ireland Labour Market**

Women represent an increasing proportion of the Northern Ireland workforce and so managing pregnancy, maternity leave and flexibility on return to work are matters which employers should address as a matter of course. Between 2005 and 2015 the number of women in employment (aged 16-64) increased by an estimated 9% to 63%. Despite this the number of women in employment remains than in Great Britain (68.7%).<sup>10</sup>

The European Commission has identified increasing women's participation in the labour market as fundamental to successful economic growth. As such, successive strategies and objectives for gender equality in employment have been devised.<sup>11</sup>

Such objectives and strategies emphasise the economic and business benefits that can be gained from enhancing gender equality and the benefits of addressing the differing impacts of parenthood on labour market participation for men and women.

### **Research-Great Britain**

Sex discrimination legislation, and its specific protection for pregnant women and those on maternity leave, has now been in place in Northern Ireland and Great Britain for 40 years. Despite this, research suggests that a sizeable proportion of women believe they have experienced unfair treatment and discrimination in employment due to pregnancy or taking maternity leave.

As part of this Investigation we commissioned a comprehensive Literature Review of relevant research by Professor Malcolm Sargeant of Middlesex University Business School. This provided a local baseline for the investigation.<sup>12</sup>

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<sup>9</sup> 62 individuals took part through focus groups or submission

<sup>10</sup> Women in Northern Ireland 30 September 2015 NI Statistics and Research Agency

<sup>11</sup> Europe 2020 [http://ec.europa.eu/europe2020/index\\_en.htm](http://ec.europa.eu/europe2020/index_en.htm) and Strategy for Equality between Men and Women 2010-2015

[http://ec.europa.eu/justice/...equality/files/documents/strategy\\_equality\\_women\\_men\\_en.pdf](http://ec.europa.eu/justice/...equality/files/documents/strategy_equality_women_men_en.pdf)

The then GB Equal Opportunities Commission [EOC]<sup>13</sup> Investigation “Greater Expectations” in 2005 reported that 45% of the women surveyed believed they had experienced dismissal or other disadvantageous treatment at work simply because of their pregnancy. The report concluded that the unfair treatment, reported by a significant minority of women who participated, has a long term detrimental effect on earnings, career progression and future participation in the labour market. As these findings have been corroborated by more recent studies which report women being denied their basic statutory maternity rights and evidence of employers displaying a negative attitude to pregnancy and maternity leave, there is little evidence that the workplace experiences of women who have become pregnant or have taken maternity leave have improved since the former EOC’s 2005 investigation.

There is, however, evidence that in times of relative austerity women in the workplace become more vulnerable to discriminatory practices.<sup>14</sup> The recent recession and subsequent slowdown in the economy has highlighted negative attitudes by some employers towards female employees who take maternity leave. Having made some recovery from the most recent economic recession there is now uncertainty regarding the effects which the recent Referendum on membership of the European Union will bring to the economy.

A recent UK-wide survey of 2000 women conducted by the Association of Accounting Technicians has found that 67% of women are concerned about the impact raising children may have on their career and half of the women consider remaining childless as a result. It appears that many women are still concerned that having a child will have a detrimental effect on their career progression.<sup>15</sup>

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<sup>12</sup> [www.equalityni.org/ECNI/media/ECNI/Publications/Delivering%20Equality/PregnancyMaternityDisc-LitReview.pdf](http://www.equalityni.org/ECNI/media/ECNI/Publications/Delivering%20Equality/PregnancyMaternityDisc-LitReview.pdf)

<sup>13</sup> Now merged with other organisations to form the Equality and Human Rights Commission

<sup>14</sup> In May 2009 advice agencies reported increased volume of queries from pregnant women and new mothers who had been made redundant or dismissed. Alliance Against Pregnancy Discrimination in the Workplace May 2009

<sup>15</sup> <https://www.aat.org.uk/news/article/women-impact-children-on-career> AAT

In 2013 a Mumsnet survey found that 60% of mothers felt less employable since having a child. 75% said it was harder to progress their career. <http://www.mumsnet.com/family-friendly/survey-results-un-family-friendly-britain>. A Girl Guiding UK, survey [October 2011] of 1200 girls found that 9 in 10 (89%) girls and young women believe that having children would affect their career with 41% expecting this to have a major impact.

[http://www.girlguiding.org.uk/system\\_pages/small\\_navigation/press\\_office/latest\\_press\\_releases/third\\_girls\\_attitudes\\_survey.aspx](http://www.girlguiding.org.uk/system_pages/small_navigation/press_office/latest_press_releases/third_girls_attitudes_survey.aspx)

<https://www.aat.org.uk/news/article/women-impact-children-on-career>

In 2013 the UK government provided £1,000,000 of funding for a programme of fresh research to examine the extent of pregnancy discrimination in the UK, and its effect on both families and the economy, to be carried out by the Equality and Human Rights Commission. In announcing this funding the Minister for Women and Equalities stated that 'It's unacceptable that women suffer from discrimination when they become pregnant and yet many are saying that they are treated unfairly at work because of it'.

This was the largest research project of its kind in Great Britain with more than 3000 women and 3000 employers participating. Key findings from surveys conducted of Employers and Mothers as part of that research found:<sup>16</sup>

- Three in four mothers (77%) said they had a negative or possibly discriminatory experience during pregnancy, maternity leave, and/or on return from maternity leave.
- One in five mothers (20%) said they had been harassed or received negative comments related to pregnancy or flexible working from their employer/colleagues.
- Around one in nine mothers (11%) felt forced to leave their job; either through dismissal; compulsorily redundancy, or feeling treated so poorly they felt they had to leave their job.
- Most employers (84%) said it was in their interests to support pregnant women and those on maternity leave as, amongst other things it increased staff retention and improved morale.
- Although the majority of employers agreed most of the statutory rights relating to pregnancy and maternity were reasonable and easy to implement, some thought some rights, such as protection from redundancy during Ordinary Maternity Leave, were not.

The Government has accepted or accepted in principle the majority of recommendations made which include tightening the protections for pregnant employees and those on maternity leave and increasing protection for casual agency and zero hours workers.

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<sup>16</sup> Pregnancy and Maternity Related Discrimination and Disadvantage; Equality and Human Rights Commission; 2015 <https://www.equalityhumanrights.com/en/managing-pregnancy-and-maternity-workplace/pregnancy-and-maternity-discrimination-research-findings>

## **International Research**

Recent research has also been conducted by the Australian Human Rights Commission. A National Prevalence Survey<sup>17</sup> was conducted which revealed that:

- One in two (49%) mothers reported experiencing discrimination in the workplace at some point during pregnancy, parental leave or on return to work.
- One in five (18%) of mothers reported that they were made redundant, restructured, dismissed or their contract was not renewed during their pregnancy, when they requested or took parental leave, or when they returned to work.
- Almost two in three women (63%) had received negative attitudes or comments from colleagues/managers/employers on their return to work.
- Employers were challenged by a number of issues associated with managing pregnancy, maternity leave and return to work, such as, uncertainty about their legal obligations, accommodating the needs pregnant employees and employees returning to work and the costs associated with training cover for parental leave.

## **Research –The Northern Ireland Perspective**

Most research into pregnancy and maternity reported in Northern Ireland relates to Great Britain or the UK as a whole, with little research relating solely to Northern Ireland. Research in Northern Ireland has mainly focused on the labour market and economic activity. Economic inactivity has been a historic problem for the Northern Ireland's economy and has been within the range of 26% to 32% for the past 30 years with the economic inactivity rate higher for females than males in Northern Ireland. Between April – June 2016 show that 38% of the economically inactive were male and 62% were female.<sup>18</sup>

The economic activity of females is influenced by the number and age of their dependent children with a greater proportion of women of working age unavailable for work due to family/home commitments compared to men.

A recent study carried out by Edinburgh Napier University on behalf of Department for Employment and Learning [now Department for Economy] examined economic

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<sup>17</sup> Australian Human Rights Commission Supporting Working Parents: Pregnancy and Return to Work National Review – Report 2015

<sup>18</sup> NI Assembly Research and Information Service Briefing Paper 56/15 NIAR 535-2014 Economic Inactivity in Northern Ireland Eoin Murphy and NI Labour Market Report August 2016 NI Statistics and Research Agency

inactivity from the perspective of those with disabilities and those with caring responsibilities. It identified a number of barriers to employment, including where employer attitudes towards those with caring responsibilities may lead to potential discrimination. Amongst its recommendations the study recognised that in order to assist more women into employment and to remain in employment there needs to be more childcare that is affordable even to those on the lowest incomes.<sup>19</sup>

A 2013 survey of Northern Irish parents by Employers for Childcare reported that 51% of respondents thought that affordable childcare is difficult or very difficult to access. This is corroborated by findings that the average cost of childcare in Northern Ireland is higher than costs in each of the other regions of the UK.<sup>20</sup> It is then unsurprising that female employees make up 80% of part time employees to enable them to reconcile work and home life.

### **GB experience of Casework**

In GB, 9000 pregnancy discrimination claims were brought against UK employers between 2007-13.<sup>21</sup> The Equality, Advisory and Support Service set up in 2012 has reported that 1 in 20 cases that it had handled in its first year of operation had been from people contacting them about pregnancy discrimination.<sup>22</sup>

### **ECNI experience of Casework**

Pregnancy is an issue which is consistently important to female employees in Northern Ireland which has given rise to a considerable volume of litigation. The Equality Commission for Northern Ireland has discretionary powers to advise and assist individuals who wish to take sex discrimination employment proceedings to an Industrial tribunal.<sup>23</sup> Cases taken by the Commission represent only part of the cases taken to tribunals in NI. Under the Commission's policy for the Provision of Advice and Assistance cases are selected on a strategic basis. Pregnancy discrimination,

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<sup>19</sup> DEL NI Economic Inactivity Strategy: Literature Review Project, Edinburgh Napier University 2013 <https://dspace.stir.ac.uk/bitstream/1893/16828/3/DELNI%20Economic%20Inactivity%20-%20Edinburgh%20Napier%20ERI%20-%20Literature%20Review%20-%20Final%20V2%20050313a.pdf.txt>

<sup>20</sup> Northern Ireland Childcare Costs Survey Employers for Childcare 2013

<sup>21</sup> <https://www.gov.uk/government/news/1m-million-to-help-tackle-pregnancy-discrimination-in-the-workplace> Nov 2013

<sup>22</sup> <http://www.equalityadvisoryservice.com/>

<sup>23</sup> Sex discrimination (NI) Order 1976 as amended Art 75

notwithstanding 40 years of regulation, remains high in the Commission's list of key strategic areas.

Between April 2011 and March 2016, 851 women contacted the Commission regarding pregnancy/maternity related issues making up 20% of all discrimination enquiries; this is the largest single percentage of all the discrimination categories. This has consistently been the case and indeed between April 2015 and March 2016 enquiries in this area were up on previous years.<sup>24</sup>

During the last 5 years the Commission has assisted 25 individuals with regard to pregnancy/maternity type cases. Of all the gender discrimination cases taken during this period by the Commission half have related in some way to pregnancy/ maternity issues including a high percentage number of dismissal cases. Typically, claimants have been between the ages of 17-25 employed by small-medium employers with in the private sector, very often in rural areas in non-unionised workplaces. The vast majority of cases settle out of court and during this period over £290,000 compensation was recovered for individuals by the Commission.

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<sup>24</sup> 2011-161,2012-166,2013-156,2014-184,2015-184

## 2. Participants in the Investigation

**This Section provides information about the participants who assisted the Commission with the investigation and acknowledges their invaluable input. This includes Commissioners and Steering Group members as well as participants who provided their opinions, comments and experiences through surveys, focus groups and submissions.**

### Investigating Commissioners

The formal investigation procedures allow the Commission to appoint one or more Commissioners to conduct the investigation on its behalf. In the first instance Lynn McBriar and Anna Carragher were nominated as investigating Commissioners and they carried out this duty until their term finished. Rev Dr Leslie Carroll and Dr Deborah Donnelly were then appointed. The role of the investigating Commissioners included:

- Ensuring compliance with legal requirements
- Advising Commission staff
- Agreeing terms of reference
- Adopting a final investigation report for Commission approval

### Steering Group

The Commission established a Steering Group comprised of representatives from community groups, trade unions, business organisations, academia and the appropriate government department. Members had an interest in and expertise in employment rights, equality for women and the small business sector and were able to provide advice and guidance from both an employee and an employer perspective.

Membership throughout the investigation period included:

Professor Joan Ballantine, Professor of Accounting, University of Ulster

Carolyn Brown, Policy Manager, Federation of Small Businesses

Mr Wilfred Mitchell OBE, NI Policy Chairman, Federation of Small Businesses

Geraldine Lavery, Employment Relations, Policy and Legislation, Department for Employment and Learning



Clare Moore, Equality Officer, NICICTU

Taryn Trainor, Regional Women's and Equalities Officer, UNITE the Union

Deborah McConnell, Workplace Campaign Manager, Business in the Community

Amy Kieran, Workplace Campaign Manager, Business in the Community

Mairaid McMahon, Director of Charity Services, Employers for Childcare

Lynn Carvill, Chief Executive, Women's TEC

Louise Coyle, Policy Officer, NI Rural Women's Network

The Steering Group first met before the investigation commenced in November 2014 and continued to meet throughout the investigation period to guide the direction of the investigation, to ensure that the design of the investigation was appropriate and to comment on the analysis of the findings.

Steering Group members:

- informed the key themes for the investigation
- considered the main issues which may affect equality of opportunity in the workplace for female employees who become pregnant and/or who take maternity leave
- informed the methodology for the investigation
- considered the structure of focus groups
- reviewed the findings of the investigation: barriers and good practice identified

### **Focus Groups and Individuals**

Focus group participants were asked to share their individual employment experiences during their most recent pregnancy, maternity leave and return to work and to complete a short questionnaire evaluating employer supportiveness.

A total of 11 focus groups were held in Parent and Toddler Groups across Northern Ireland; a total of 57 women participated.

The majority of focus group participants lived in the County Antrim area [N=31] were aged 30 years or above [N=44] and had one or two children. [N=43].

More than two thirds of the focus group participants were employed in the Private Sector during their pregnancy [N=38] and earned £19,999 or under per annum [N=33].

A total of 5 individuals shared their employment experiences through individual interviews or via written contribution. These individuals were employed and had experienced difficulties at various stages in their employment.

## **Online Survey Respondents**

- **Women**

A total of 906 women from across Northern Ireland completed the online survey providing information about their employment, their experiences in employment and their knowledge of employment rights.

Although a diverse range of women completed the survey, the majority of respondents lived in County Antrim [N=434], were aged 30 years old or more [N=778] and were employed [N=826] on a permanent contract [N=631] and had been with their employer for more than 3 years [N=549]. In contrast to the focus group participants most online survey respondents were employed in the Public Sector during their pregnancy [N=549]. and earned between £20,000 and £30,000 per annum [N=278].

- **Employers**

A total of 58 employers completed the online survey which aimed to identify challenges faced by employers when managing pregnancy, maternity leave and return to work.

The employers represented a range of industries and sizes of organisation, however the majority were Private Sector organisations [N=42] and businesses with between 20 and 99 employees [N=22].

Just over half of the employers had a majority female workforce [N=29] and most had managed at least one pregnancy within the past 5 years [N=50] while large organisations with a majority female workforce managed upwards of 100 employees who had children within the past 5 years.

## **Submissions**

Submissions were invited from various stakeholders to assist the investigation in understanding the views and concerns of all relevant stakeholders, in particular:

- the types of challenges faced by women employees while pregnant, on maternity leave, or on return to work,
- examples of leading practices and strategies that may have assisted women in addressing challenges,
- relevant data, case studies and trends.

The stakeholders who were invited to submit responses were:

- Voluntary and Community Organisations
- Business Associations
- Trade Unions
- Health Organisations.

Submissions were received from one Business Association; the Federation of Small Businesses and from three Trade Unions:

- Unite the Union
- NIPSA and
- ATL [Association of Teachers and Lecturers].

### 3. Methodology

**This section reports the methods used to collate the evidence on which the finding of this investigation are based.**

The findings of this investigation are based on qualitative and quantitative evidence provided by:

- Women participants through an online survey, through focus groups and through individual contributions.
- Employers who completed an online survey.
- Organisations who provided submissions.

The methodology used aimed to ensure that this investigation was as inclusive and consultative as possible. The various ways for stakeholders to participate were communicated as widely as possible and in a number of diverse ways.

It was decided to limit participation to women who had been in employment during their most recent pregnancy and whose youngest child was 5 five years old or under so that recent employment experiences were reported.

The use of online surveys in addition to focus groups aimed to reach a wide audience and to gain evidence about employment experiences from a broad spectrum of women and of employers.

Women could also participate through focus groups or on an individual basis.

Individuals who contacted the investigation team regarding a potential complaint of sex discrimination and who wished to be, were passed on to the relevant team for advice and guidance.

Parent and Toddler groups were identified as a useful way to meet with a group of mothers of young children and women were able to choose to speak individually or as a group.

All participants chose to provide evidence to this investigation and the importance of ensuring confidentiality was recognised, both for the women participants and for employers. Information provided by women participants is not attributable to any individual or organisation. Employers and organisations making submissions could choose anonymity.

### 3.1 Pre-Investigation period

During this period a considerable amount of preparation work was conducted prior to the official launch of the investigation.

**Literature review:** In August 2014 Professor Malcolm Sargeant of Middlesex University Business School provided a comprehensive review of available research to provide a background for the formal investigation.<sup>25</sup>

**Terms of Reference:** The scope and purpose of the formal investigation were prepared and agreed with Investigation Commissioners and Steering Group members. Notice of the Investigation was given on 15<sup>th</sup> January 2015.

**Focus Groups:** A random sample was taken of Parent and Toddler groups across Northern Ireland to be contacted for the purpose of organising a focus group.

**Online Survey:** An online survey was developed and the contents agreed with Investigating Commissioners and Steering Group members.

### 3.2 Investigation Period

The investigation collated both qualitative and quantitative data through online surveys, focus groups and submissions. The content of the surveys was informed by the issues raised in the literature review, data from enquiries made to the Equality Commission, existing legislation and from research being conducted by the Australian Human Rights Commission<sup>26</sup> and the Equality and Human Rights Commission.<sup>27</sup>

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<sup>25</sup> "Literature survey on pregnancy and maternity discrimination for the Northern Ireland Equality Commission"

<sup>26</sup> Supporting Working Parents; Pregnancy and Return to Work National Review Report 2014 Australian Human Rights Commission; <https://www.humanrights.gov.au/our-work/sex-discrimination/publications/supporting-working-parents-pregnancy-and-return-work>

<sup>27</sup> Pregnancy and Maternity Related Discrimination and Disadvantage Equality and Human Rights Commission 2015 <https://www.equalityhumanrights.com/en/managing-pregnancy-and-maternity-workplace/pregnancy-and-maternity-discrimination-research-findings>

## **Online surveys:**

### Women's Survey

The survey was open to all women in Northern Ireland who were in employment during their pregnancy and whose youngest child was 5 years old or younger. The Commission advertised the survey through local media, social media, the Equality Commission website and E-zine, and other appropriate organisations, such as Women in Business, Trade Unions and the Women's Policy Group.

The survey provides quantitative and qualitative data regarding 906 women's perceived employment experiences of pregnancy, taking maternity leave and return work.

### Employers' survey

The online survey was available from June 2015 to all employers to complete. The survey provided qualitative and quantitative data regarding 58 employers' experiences of managing pregnancy, maternity leave and return to work and the challenges they face.

By the end of August 2015 just 49 employers had completed the survey and it was decided to reopen the online survey in October 2015. A further 9 employers completed the survey before it closed at the end of November 2015.

The survey was advertised through the Equality Commission website, E-zine and training events; through the NIBusinessinfo website and through various organisations' social media e.g. ECNI, Business in the Community and the Federation of Small Businesses. In addition, a random sample of 339 employers from the Commission's own database were directly emailed with a request to complete the survey.

## **Focus Groups**

A random sample of 17 Parent and Toddler groups across Northern Ireland were approached to see if their membership would be willing to share their employment experiences. A total of 11 focus groups were held, with at least one in each County of Northern Ireland. Participation in the focus groups was also limited to women who had been in employment during pregnancy and whose youngest child was five years old or under.

Focus group participants also completed a short questionnaire to establish personal information, employment information and for participants to rate the support given by employers during pregnancy, maternity leave and on return to work.

## Submissions

### Individuals

A number of individuals contacted the investigation team, in person or by email, to relate their employment experiences during their pregnancy, maternity leave or on return work.

### Stakeholders

Various stakeholders were invited to provide information to the investigation to gain an understanding of their concerns and experiences, and to ensure their views were reflected in subsequent recommendations made. The following stakeholders were invited to provide information:

- **Business organisations and associations** were invited to express the concerns and issues faced by their membership.
- **Trade Unions, Voluntary and Community Organisations** were invited to provide information about:
  - the types of challenges faced by women employees while pregnant, on maternity leave, or on return to work;
  - gaps and practical challenges in implementing relevant legislative and policy framework;
  - examples of leading practices and strategies in the workplace that may have assisted women in addressing challenges;
  - relevant data, case studies and trends.
- **Health Professionals and Organisations** were invited to provide information about:
  - the types of challenges faced by women employees while pregnant, on maternity leave, or on return to work.
  - examples of leading practices and strategies that may have assisted women in addressing challenges;
  - relevant data, case studies and trends.

The investigation team invited 30 trade unions, 28 Voluntary and Community organisations, 21 Business Associations and Organisations, and 3 Health organisations to provide submissions.

Submissions were received from The Federation of Small Business, UNITE the Union, NIPSA and Association of Teachers and Lecturers.

## 4. Women's responses to the online survey

**This section examines the employment experiences of women who responded to the online survey.**

Below is a brief outline of the contents of this section: where necessary, sections begin with a short summary of findings.

**Profile of Respondents:** Details of where the respondents lived and worked and of their employment.

**Employment Experience: All Respondents:** Reports respondents' perception of their treatment in employment during pregnancy, maternity leave and on return to work, good and bad, and examines factors which may influence treatment and decision to leave employment.

**Types of Treatment or Disadvantage Experienced: Respondents who were Unfairly Treated:** Reports the types of treatment experienced by respondents who believed they were treated unfairly by their employer, the most common experiences of respondents and the incidence of each treatment by employment sector and industry sector.

**Further negative employment experiences: Respondents who were Unfairly Treated:** Reports additional potentially unfair treatments experienced by respondents.

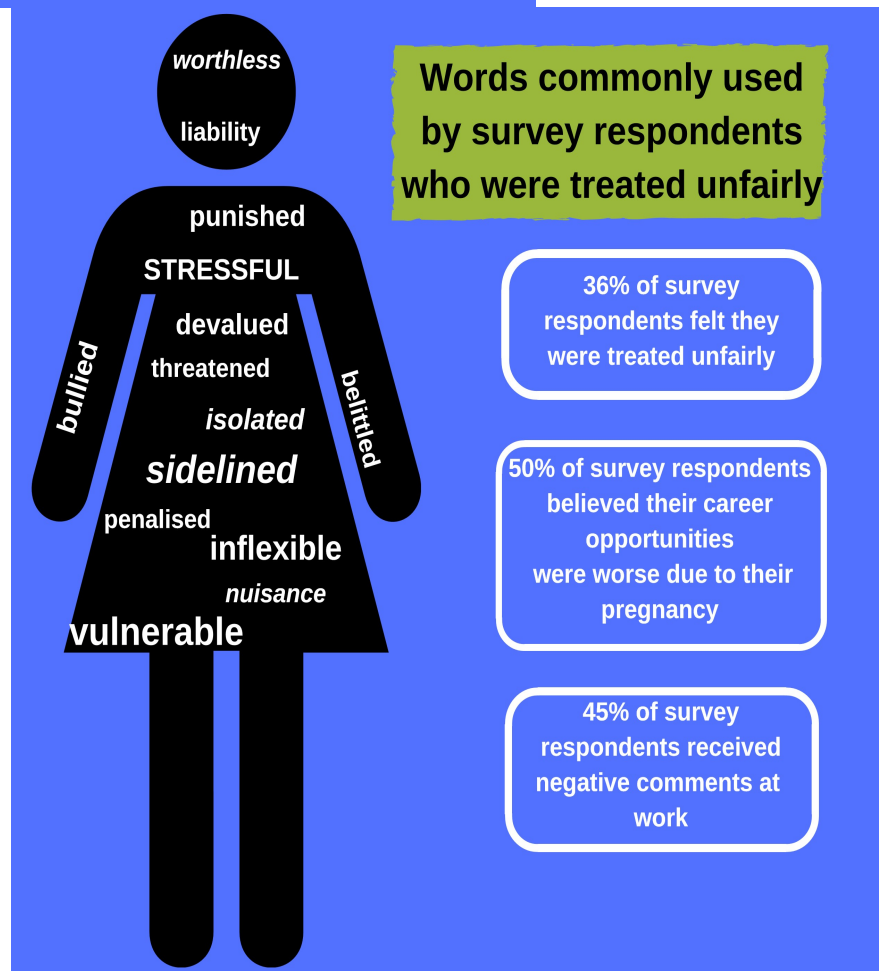
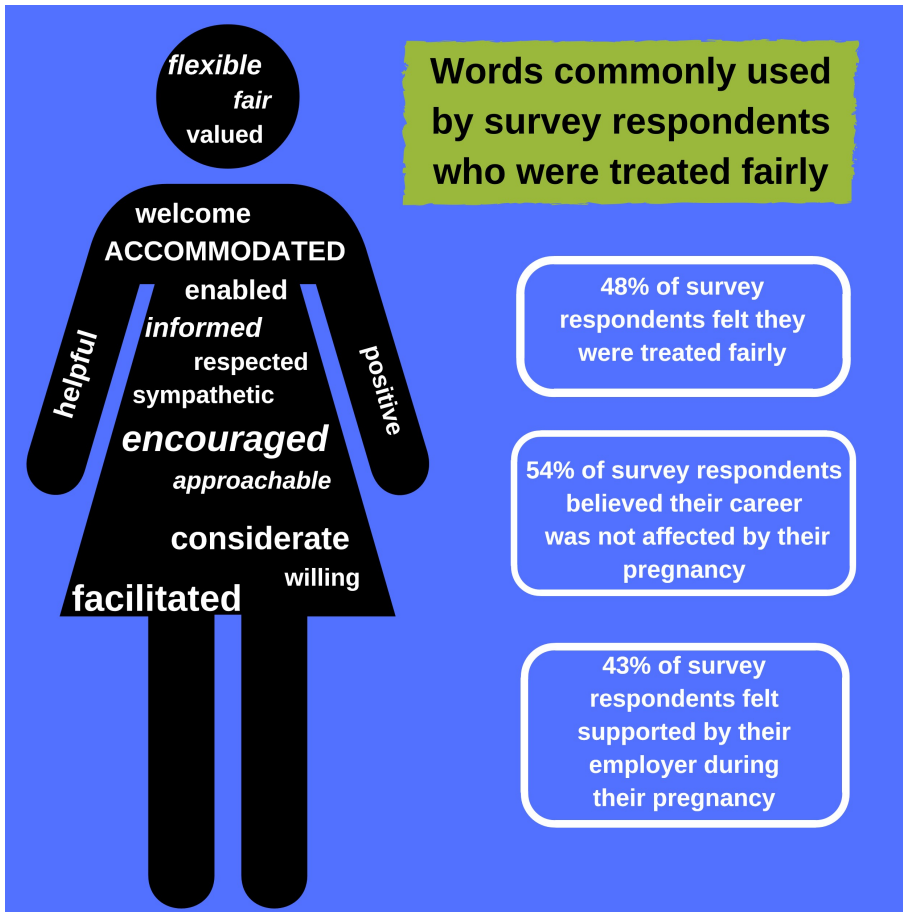
**The Impact of Unfair Treatment or Disadvantage on the Personal Life and Career of Respondents:** Reports the impact of negative employment experiences on career and personal life.

**Employment Experiences: Other Issues:** Reports perceptions of the impact of pregnancy or having taken maternity leave on future career opportunities and respondents' ratings of the support given by employer during pregnancy, maternity leave and on return to work.

Identifies the similarities/differences in jobs returned to following maternity leave and any negative differences reported by respondents.

**Resolving Workplace Issues:** Reports on respondents' levels of knowledge of workplace issues and the source of the information. Also examines reasons why respondents fail to take action to resolve issues and respondents' assessment of the resolution of those issues.





Figures 1 and 2

## 4.1 Profile of Respondents

In total 906 women from across Northern Ireland completed the online survey providing information about themselves, their employment and employment experiences as well as their knowledge of employment rights.<sup>28</sup>

Most respondents were 30 years old or above [87.1%/ N= 778 out of 893 respondents] and lived with a partner/husband [92%/ N=819 out 890 respondents].

Approximately half of the respondents lived in County Antrim [49.2%/ N=434 out of 883 respondents] and half of the respondents worked within 10 miles of their home [50.6%/N=384 out of 758 respondents].

The Table below shows the percentage of respondents living in each County.

**Table 1: Percentage of respondents living in each County**

County Lived in	Percentage of Participants	Number of Participants
Antrim [including Belfast]	49.2%	434
Armagh	6.9%	61
Down	24%	212
Fermanagh	2.8%	25
Londonderry	10.5%	93
Tyrone	6.6%	58
<b>Total</b>		<b>883</b>

- **Employment:** The majority of respondents were employed at the time of the survey [93.2%/N=826 out 886 respondents] and the majority had returned to work following the birth of their child[ren] [64.8%/N= 504 out of 778 respondents].
- **Length of Service:** Most respondents who answered this question had worked for their employer for 3 years or more before their most recent pregnancy [74.5% /N= 549 out of 736 respondents]. Only a small number of respondents had worked for less than one year before their pregnancy [7.5%/N=55].

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<sup>28</sup> Some survey questions were not completed by all respondents. The total number of respondents will be identified where it is less than 906.

- **Sector:** Approximately three out of four respondents worked in the Public Sector. Education, Health and Public Administration were highly represented with more than half of the respondents employed in these occupations [59.3%/N=506 out of 730 respondents].

The Table below shows the percentage of respondents working in each employment sector during their pregnancy.

**Table 2: Percentage of respondents working in each employment sector N=757**

<b>Sector worked in during pregnancy</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>Public sector</b>	73%	549
<b>Private Sector</b>	19%	145
<b>Voluntary &amp; Community Sector</b>	8%	60
<b>Don't Know</b>	0.4%	3
<b>Total</b>		<b>757</b>

- **Working pattern:** Approximately four out five respondents worked a full time working pattern [78.4%/N= 571 out of 728 respondents] and one fifth were part-time employees [21.6%/N=157 out 728 respondents].
- **Contract:** Most respondents were permanent employees during their pregnancy [85.8%/ N=631 out 735 respondents], although other types of contract were represented, including zero hours contracts.
- **Salary:** Approximately two thirds of respondents earned between £20,000 and £40,000 per annum [64%/N= 468 out 731 respondents]; a quarter of respondents earned less than £20,000 per annum [25.2%/N=184]; and a smaller number of women were higher earners on more than £40,000 per annum [10.8% /N=79].

## **4.2 Employment experience: all respondents**

### **4.2.1 Summary**

**Women were asked to share their employment experiences during their pregnancy, while on maternity leave and on their return to work.**

- Almost half of the 906 respondents [48.1%] believed that they had been fairly treated and that their employment experience had been positive. They reported employer compliance with legal obligations and organisational structures, and policies which ensured fair treatment and a safe and flexible working environment.**
- Some respondents who had been treated fairly also made some distinction between employment experiences at various stages, between different managers and, for those who had changed employer, between different employers.**
- One in three of the 906 respondents [36.2%] believed they had received unfair treatment or disadvantage as a result of their pregnancy or having taken maternity leave. A further one in six respondents [15.7%] were unsure about whether or not they been treated fairly.**
- These respondents commented that they believed their employer did not meet their legal obligations and viewed pregnant employees and working mothers negatively which led to unfair treatment.**
- All industry sectors were represented by respondents who had been unfairly treated. However, proportionately more respondents working in the Retail and Wholesale Trade and the Construction industry believe they had been treated unfairly [66.7% and 100% of 761 respondents respectively].**
- Others factors of employment such as, employment sector, employment contract and gross annual salary appeared to influence employment experience.**
- Although unfair treatment was reported across all employment sectors proportionately more respondents employed in the Private Sector [one in two respondents; 51.7% of 145 respondents] and in the Voluntary and Community Sector [45% of 60 respondents] believed they had experienced**

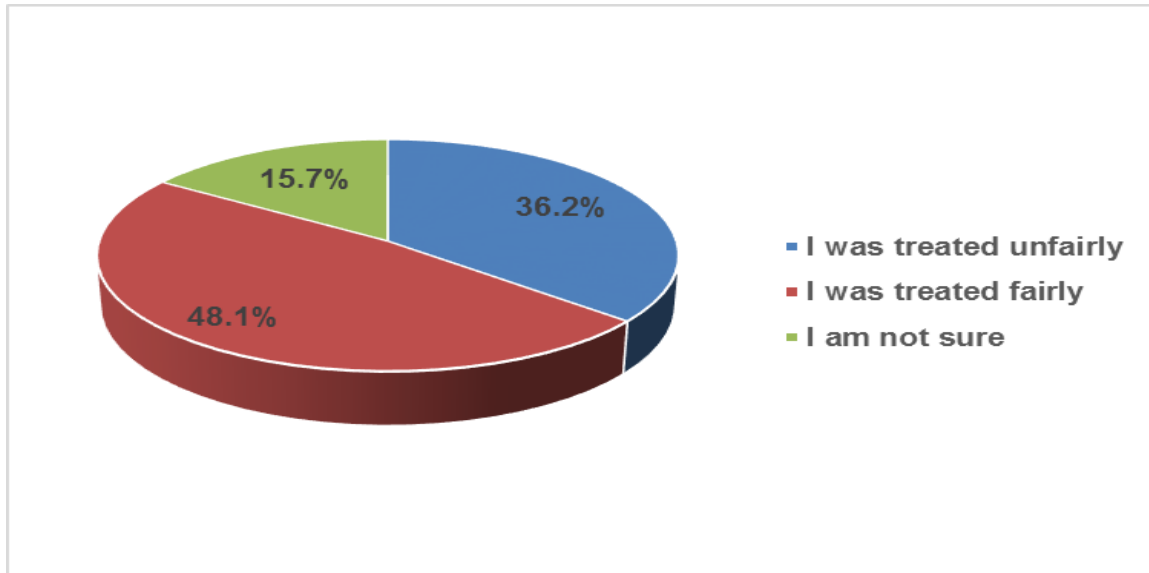
**this. Almost one in three Public Sector employees [29.5% of 549 respondents] believed they had been treated unfairly.**

- Half of respondents earning £50,000 gross annual salary reported unfair treatment [55.6% of 9 respondents]; mainly due to a lack of flexibility in their workload or work pattern. This compares to around one in three respondents in each of the lower salary bands.**
- Respondents who reported unfair treatment or disadvantage believed that it reflected an organisation which failed to value working mothers and failed to create a family friendly working environment. Although not the only reason, unfair treatment was the main reason given by respondents for leaving their employment.**

## 4.2.2 Treatment at Work

Women were asked if they believed that they had been treated unfairly or otherwise disadvantaged as a result of their pregnancy or having taken maternity leave. The chart below shows respondents' perception of their employment experience.

**Figure 3: Perception of treatment in employment [N=906]<sup>29</sup>**



As can be seen from the chart above almost half of the respondents believed that they experienced fair treatment in their employment and were not disadvantaged as a result of their pregnancy, maternity leave or on return to work [N=436]. More than one third of respondents did, however, feel that they had been treated unfairly and suffered disadvantage [N=328], while approximately one in six women were unsure about their experience [N=142].

## 4.2.3 Type of employment and perception of treatment at work

This section reports the various characteristics, where known, of the women who believed they had been treated unfairly or disadvantaged due to their pregnancy or having taken maternity leave.<sup>30</sup>

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<sup>29</sup> Table 14 in Appendix 1

<sup>30</sup> Where not all women have provided information N= the response rate.

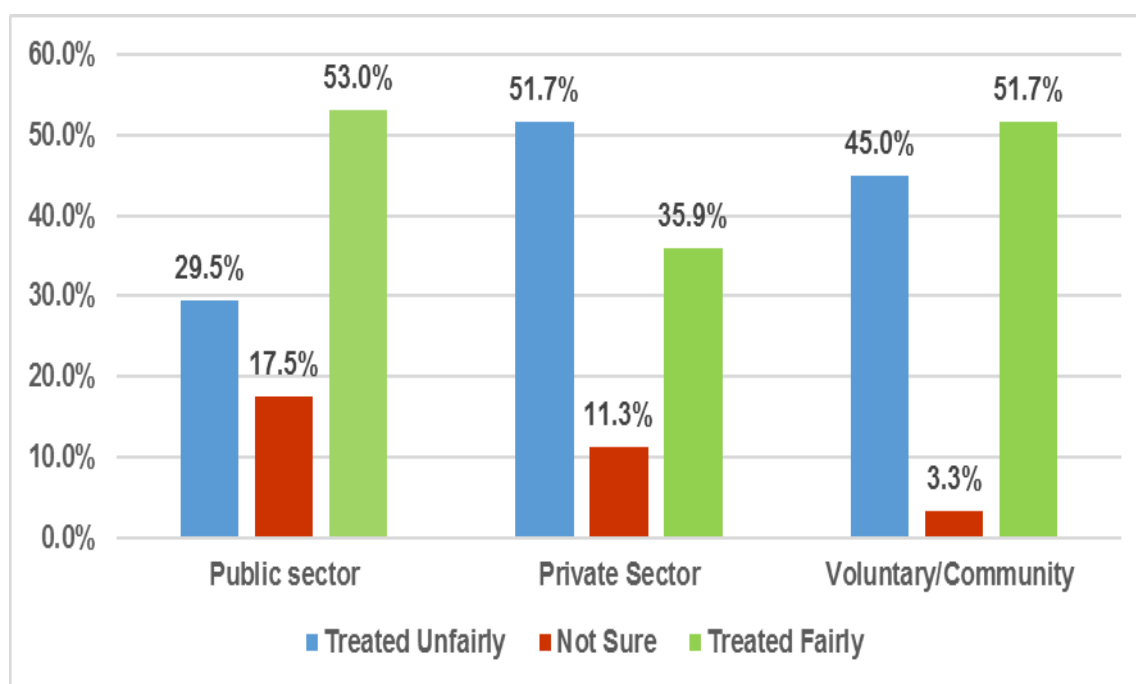
## Employment sector

A total of 757 respondents identified their employment sector.

A greater proportion of respondents working in the Private Sector and Voluntary and Community sectors believed that they had been treated unfairly or otherwise disadvantaged.<sup>31</sup>

Of these respondents more than one in two were Private Sector workers [N=75 out of 145 respondents] while more than two in five respondents worked in the Voluntary & Community Sector [N=27 out of 60 respondents]. This compares with approximately one in three respondents who were employed in the Public Sector [N=162 out of 549 respondents].

**Figure 4: Perception of employment experience by employment sector [N=757]**



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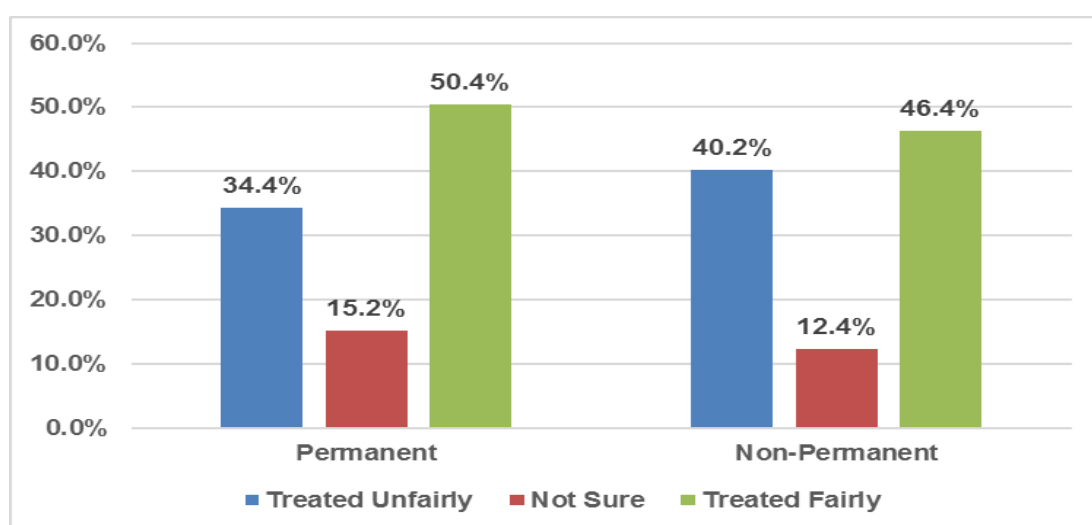
<sup>31</sup> Tables 14.1 to 14.3 Pages 7 and 8 in Appendix 1

## Contract and working pattern

A total of 728 respondents identified their contract and their working pattern.

Approximately two in five respondents who were not employed on a permanent contract thought they had been treated unfairly by their employer [N=40.2%/N=39 out of 97 respondents] compared to one in three respondents who were permanent employees [N=34.4%/N=217 out of 631 respondents].

**Figure 5: Perception of employment experience by type of contract [N=728]**



Of the 46 respondents who lost their job at some stage, during their pregnancy, maternity leave or on return to work, a greater proportion were employed on non-permanent contracts compared to those who were permanent employees [20% /N=19 out of 91 respondents compared to 3%/N=20 out of 631 respondents].

Some respondents with fixed term contracts commented that contracts failed to be renewed once the employer learned of their pregnancy. Fixed term contracts were common amongst respondents in occupations related to specific projects, such as research work; and in Education and in Health.

**“My contract had been renewed on 4 separate occasions but was not renewed when they found out I was pregnant.” [Public Sector]**

There was little evidence of different employment experiences based on working pattern.<sup>32</sup>

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<sup>32</sup> See Table 15.1 and 15.2, pages 8 and 9 of Appendix 1



## Industry

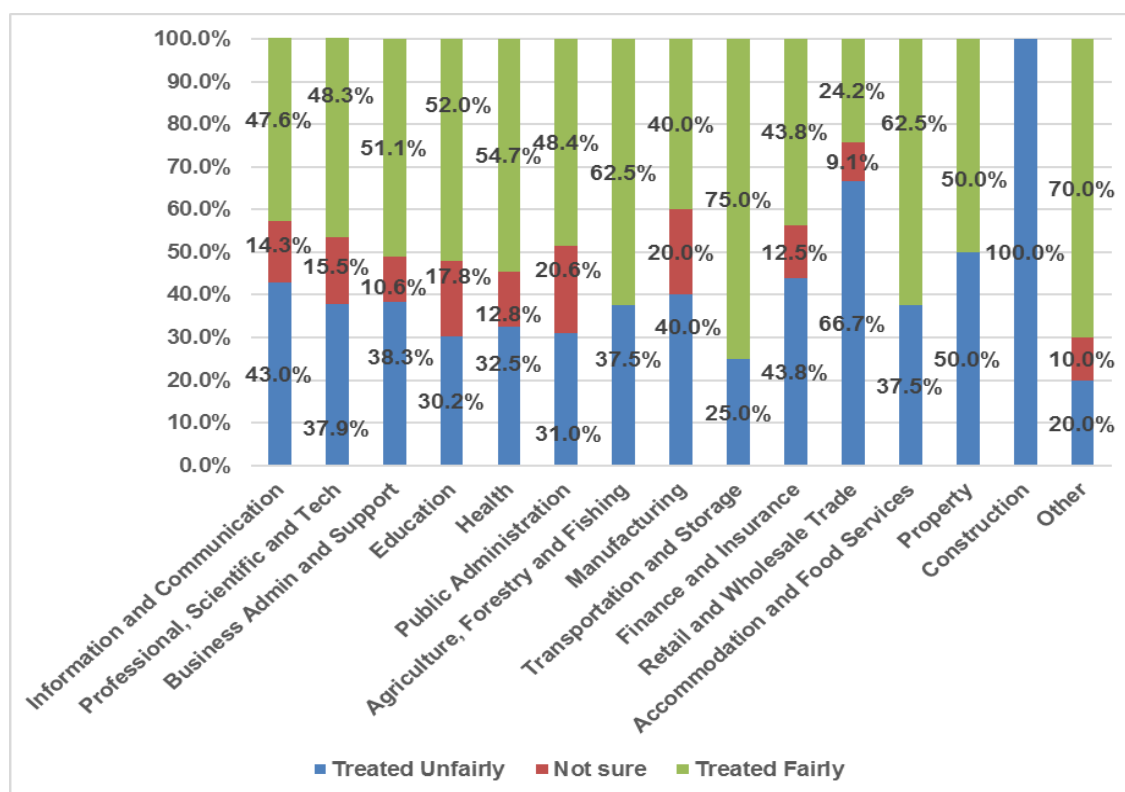
A total of 761 respondents identified which industry sector they were employed in.

The chart below shows the percentage of respondents working in each industry and their views regarding their treatment during their pregnancy, maternity leave or on return to work.<sup>33</sup>

A greater proportion of respondents believed they were treated fairly in Industries such as Accommodation and Food Services, the Health sector and the Transport and Storage industry.

Whereas proportionately greater numbers of respondents working in industry sectors such as Construction and Retail or Wholesale Trade believe that they were treated unfairly or disadvantaged as a result of their pregnancy or having taken maternity leave.

**Figure 6: Perception of treatment in employment by industry sector [N=761]**



<sup>33</sup> See Tables 16.1 to 16.3, pages 10-12 of Appendix 1

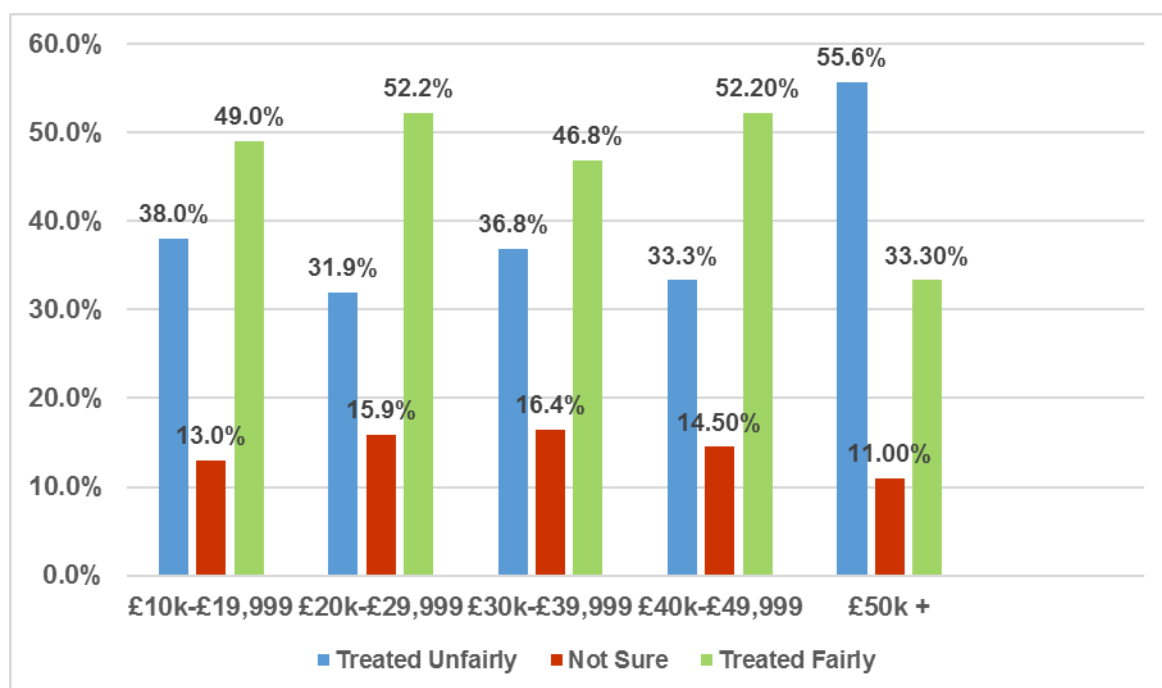
## Salary

A total of 728 respondents identified their gross annual salary.

In general, with the exception of respondents earning £50,000 or more per annum, there appears to be no relationship between salary earned by respondents and their employment experience. A similar percentage of respondents from each salary band under £50,000 per annum believed they have been treated unfairly or disadvantaged.<sup>34</sup>

Respondents earning £50,000 or more per annum, all Public Sector employees, believe that their employer did not support them and that their managers had little experience of dealing with pregnancy/maternity leave. They indicated that there was little flexibility afforded them and that their work duties or hours were changed without their permission.

**Figure 7: Perception of treatment in employment by salary band [N=728]**



Around one in three respondents in each salary band believed they had been treated unfairly or disadvantaged with the exception of the small number of respondents who earned £50,000 or more per annum. In this case one in two respondents thought

<sup>34</sup> See Table 17.1 to 17.3 pages 13-14 of Appendix 1

they had received unfair treatment or disadvantage in their employment [N=5 out of 9 respondents].

Respondents were also asked to indicate if they had returned or intended to return to work following maternity leave. Those earning less than £20,000 per annum were more likely than other salary groups to decide not return to work following their maternity leave, indicating that additional factors influence this decision [46.5%/N=40 out of 86 respondents]. These factors are considered in the following paragraph.

#### **4.2.4 Factors influencing decisions to leave employment**

Unfair treatment was an important factor in influencing respondents' decisions to leave their job. However, other factors such as better career opportunities elsewhere or the inability to meet the costs of childcare also influenced respondents' decisions. Around one in fourteen respondents indicated they were no longer employed at the time of completing the survey [6.7%/ N=60 out 886 respondents]; and around one in nine respondents stated that they would not return to their employer following maternity leave [11% /N=73 out of 667 respondents].

Experiencing unfair treatment during pregnancy and maternity leave led respondents to understand that their employer did not value working mothers and that their workplace would not be a family friendly environment. Respondents commented that such negative employment experiences influenced their decisions to leave work or to change employment.

Other reasons given by respondents for changing employer included seeking jobs which offered better career opportunities, such as permanent employment and opportunities for promotion. This was particularly important for those respondents who had previously missed out on promotion opportunities due to pregnancy or having taken maternity leave.

Example comments from women who had left their employer:

**“I could not go back to that workplace considering how they treated me when I was at my most vulnerable.” [Private Sector]**

**“He wanted rid of me as soon as I said I was pregnant and then made my life a misery. I had to leave.” [Private Sector]**

**“Didn't want to travel outside NI weekly, missed promotion, no scope for work-life balance and family commitments such as childcare.”  
[Private Sector]**

**“Couldn't go back to my work situation where I was undermined, excluded from work, isolated from colleagues.” [Public Sector]**  
**“I knew that my work would be made difficult as they had made my experience during my pregnancy very tough.” [Private Sector]**

**“I did not get the promotion I applied for and so decided to look for new employment while on maternity leave. I also needed work that was more stable, working hours that were more suitable to family life and better paid.” [Private Sector]**

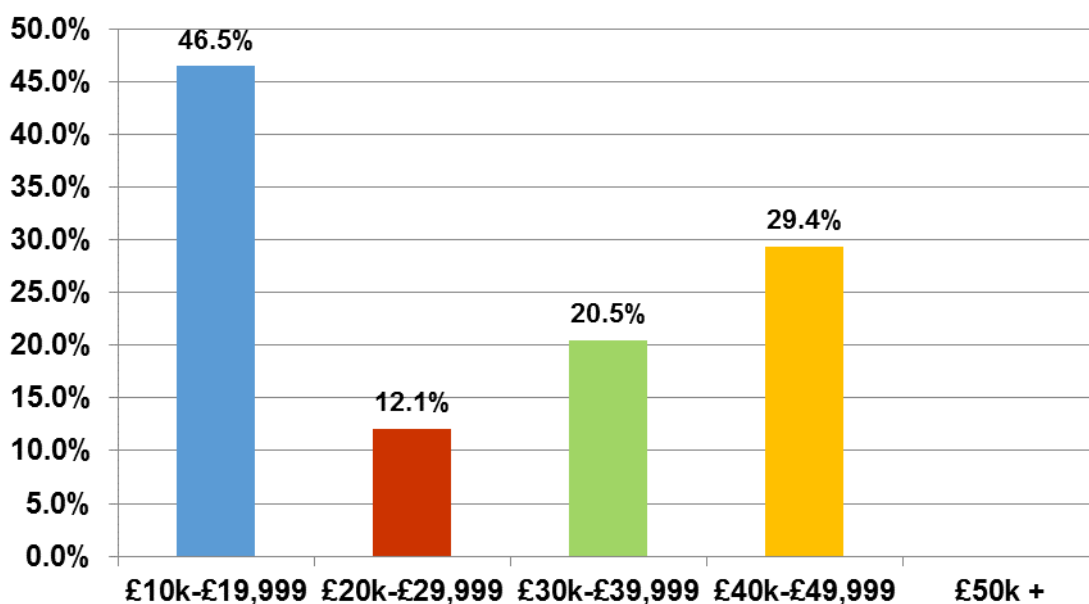
**“New opportunity arose in a different organisation, better salary, more chance for career progression and development.” [Private Sector]**

Additional factors discouraged respondents' return to work, such as salary earned during pregnancy and inability to find work after loss of job.

Each of the 9 respondents earning more than £50,000 per annum intended to or did return to work; this is despite more than half of the respondents in this group indicating that they had been treated unfairly or disadvantaged [55.6%/N= 5 out of 9 respondents].

The chart below shows the percentage of women in each salary band who indicated that they did not return or did not intend to return to work following maternity leave. [N=208]

**Figure 8: Percentage of respondents deciding to leave work by salary band [N=208]**



Almost half of the respondents who earned less than £20,000 per annum did not or will not return to work [N=40 out of 86 respondents]. The respondents in this salary group indicated that factors such as the cost of childcare and a lack of flexibility in their employment meant that they had to leave work.

For some, non-renewal of fixed term or temporary contracts forced them out of work during pregnancy. They felt unable to find work either due to lack of confidence or because they believed they would not get hired while pregnant.

In addition to employment experience, societal and economic factors played a role in respondents' decisions in continuing in the labour market. However, previous employment experiences highlighted unfavourable attitudes towards working mothers and other organisational barriers to equality of opportunity which encouraged respondents to change their employer.

Example comments:

**“Made redundant to coincide with what would have been my return to work date. I had mentally prepared myself for the return to work. The knock to my confidence was a massive blow to my ability to get employment and provide for my family.” [Private Sector]**

**“I was already over 12 weeks pregnant when my options were given to me which meant I could not look for another job straight away as no-one would employ me...” [Private Sector]**

**“I would rather be at home with my children than being bullied by grown women and intimidated by grown childish men. I cannot afford childcare as well as fees for being kept late in work.” [Private Sector]**

**“I had to resign as financially I could not justify travel, parking and childcare on a £7.05 rate per hour as a single mum with no partner.” [Private Sector]**

**“I requested a part-time role on my return to work and this was denied and I was unable to return as childcare costs were higher than my full time salary.” [Private Sector]**

## 4.2.5 Good employment experiences: respondents who were treated fairly

Almost half of the respondents believed that becoming a mother had not resulted in any disadvantage in their employment and that their employer had treated them fairly [48.2%/N=436 out of 906 respondents].

Some respondents perceived the Public Sector as a family friendly working environment which had good policies and practices. Indeed, one respondent commented that she made a deliberate move from Private Sector employment to the Public Sector when she decided to start a family.

**“I had a very supportive public sector employer. Particularly when hospitalised during pregnancy forcing early maternity leave. I purposely moved out of private sector as the treatment and benefits would not have been so good.” [Public Sector]**

This perception has been somewhat corroborated as respondents employed in the Public Sector were less likely than those working in the Private Sector and the Voluntary and Community Sector to believe they have been treated unfairly and/or disadvantaged as a result of their pregnancy or having taken maternity leave [see Figure 4].

Respondents who believed they had been treated fairly reported that their employers had organisational structures and clear policies and protocols in place to ensure fair treatment and provide support to employees during pregnancy, maternity leave and on return to work. For some this meant that their employer treated them the same as before their pregnancy and/or that they complied with their legal responsibilities. Others felt that their employers went beyond their legal obligations.

Respondents believed that their employer had taken due regard of their particular situation, were willing to be flexible and had put in place measures to ensure that they could continue working safely throughout their pregnancy and on their return to work.

Such measures included identifying and dealing with risks to health and safety, allowing time to attend ante natal appointments, and making adjustments to work environment and workload where necessary. Respondents who had sick absences felt that they had been treated fairly by their employer.

In order to do this there was communication between respondents and their employer, to identify the needs of both parties and the procedures in place to meet those needs.

Respondents appreciated that during their pregnancy their employers planned ahead for their period of maternity leave. Respondents and their managers worked together to train others and to put systems in place to ensure that their work was covered during the maternity leave period; reducing stress before the commencement of maternity leave and the need for unnecessary communication during maternity leave.

During maternity leave appropriate communication was essential; respondents felt informed and included. Managers were easily contactable to answer queries or to discuss return to work arrangements.

On return to work respondents appreciated an employer with family friendly policies. For most respondents this meant the opportunity to work flexibly or to reduce their working hours. Respondents commented that they had been allowed time to adjust back in to working life, perhaps through a phased return or by catching up on training they had missed. Those who were breastfeeding appreciated employers who were considerate of this and who provided a private, calm and clean environment for expressing milk.

The key for many respondents across periods of pregnancy, maternity leave and on return to work was that there was discussion and action taken where necessary. They felt that their employer listened, understood and was considerate of their needs.

As a result, the respondents commented that their employers were understanding and considerate. They felt valued by their employers and believed that their employer was family friendly.

Example comments:

**“I feel I was treated very fairly. I was allowed as much time off as I needed for all my appointments & antenatal classes. I also was in a car accident while I was pregnant which resulted in me being off sick for a period when I was pregnant, my managers were very understanding and I was under no pressure to come back to work until I was well enough to do so.” [Public Sector]**

**“I have had a risk assessment carried out in work which helped me voice some problems for e.g. parking facilities and to become aware of some difficulties which I hadn't thought of that could become problems at a later date. Work was very understanding during a period of heavy snow and frost and didn't put me under any pressure to rush in until it was safe to do so.” [Public Sector]**

**“My experience of being pregnant whilst working was pretty positive. I was supported by my bosses and also by my colleagues. I received 18 weeks’ full pay, and then I took the extra 21 weeks of SMP. I also took a further 13 weeks’ unpaid leave at the end. I was again fully supported on my return to work, and my line manager brought me up to speed on any training issues. I was eased back in to full duties and have been facilitated in dropping my hours to achieve a better work life balance.”**  
**[Public Sector]**

**“Flexible re: working from home. No issue with time off for appointments. I was only with the business 4 weeks before being unwell with pregnancy related sickness. They treated me really well.”**  
**[Private Sector]**

**“I was treated fairly in my permanent post where I have been kept informed and treated the same. I thought they would have had a problem with me being pregnant on taking up the post but they didn't. Other principals on training courses said they were surprised I got a permanent position while I was pregnant so there are some that do discriminate.”** **[Public Sector]**

**“Clear policies and protocols in place for pregnant workers and for maternity leave.”** **[Public Sector]**

**“They hired me knowing I was pregnant. They carried out a risk assessment of my pregnancy. They informed colleagues where appropriate and worked with me to ensure duties such as lifting and driving were appropriate. They were never patronising. They were flexible with my maternity leave. They worked with me to put systems in place to ensure the work would be completed in a timely fashion even when I was off on maternity leave, by me prioritising work before I left and by team members covering after I had left. We also put a system in place should anything awful happen meaning I could not return to complete my contract.”** **[Voluntary and Community Sector]**

**“Always asked how I was doing, had risk assessment, personnel explained how leave etc. would work, how I could take my maternity leave, keep in touch days etc. manager ensured good working environment, and if I felt sick or was off sick this was in no way held against me, in fact my employers are very supportive/caring.”**  
**[Public Sector]**



**“I have been given all the time off I require for maternity appointments and my line manager is very understanding of issues around fatigue, etc., that have led to lateness. I've had the opportunity to adjust my work load and environment to suit my pregnancy.”**

**[Voluntary and Community Sector]**

**“My job involves situations that may not be the safest when pregnant. I was facilitated with no problem when pregnant, moving into more of an office bound role, or out supervising someone else who was doing the job. I work shifts, and my allowance for this is a big part of my salary. I was able to keep my shifts and my shift allowance right up until I went on maternity leave.”** [Public Sector]

**“Getting to antenatal appointments was no problem. The principal was caring and thoughtful and tried to ease my workload in the latter stages of pregnancy.”** [Public Sector]

**“Regular risk management meetings, felt empowered to make my own decisions regarding risk, emotional support provided by colleagues and several levels of management. Individual risk assessments updated regularly. Provided support -felt enabled to be open and honest regarding my expectations. Supported to stay in role that was deemed high risk as this was my choice. Shifts and rota changed when felt too much or uncomfortable. All appointments were provided for.”**

**[Voluntary and Community]**

**“I am very thankful to work for [name of organisation] as I believe they (at least in my experience) have very good pregnant worker and maternity leave protocols in place. I have friends in other employment who have had far less positive experiences during their pregnancies and maternity leaves.”** [Public Sector]

**“While on maternity leave I have been kept up to date with important changes in work and any further job opportunities have been emailed to me for my interest.”** [Public Sector]

**“I was treated great while pregnant but I can't say the same while I've been on maternity leave little contact equals very vulnerable new mummy!!...”** [Public Sector]

**“I am kept informed of all major developments within the workplace. I was able to work a few Keeping in Touch days and I am able to return to work on phased return.” [Public Sector]**

**“I had a very good experience, I applied for and was interviewed for a more senior position at 36 weeks pregnant. Despite taking a year off following the interview I got the position.” [Public Sector]**

**“I was enabled by my employer to remain in my current role (a role that includes high risk of emotional stress and physical stress/injury), I felt supported to adjust my shift pattern, to make best use of annual and maternity leave, confidentiality was maintained regarding my pregnancy. During maternity leave I was supported to continue professional development work (my own choice to do so during leave) and to complete keep in touch days however felt no pressure regarding returning to work.” [Voluntary and Community Sector]**

**“My employer was fully accommodating about my proposed return date and request to work part-time. They were happy for me to use excess annual leave at the end of my maternity leave and then to enable me to work part time for 4 months until I formally changed my working hours.” [Public Sector]**

**“When appropriate, i.e. not detrimental to my child or the work, I am able to take my child to work with me. My hours and days are flexible in that I mostly work from home and meetings are scheduled in discussion with myself and other team members, so that we may all balance our commitments. I am comfortable breastfeeding at work when my child is with me, I just unfortunately don’t have any expressing facilities for when she is not with me.” [Voluntary and Community Sector]**

**“Employer has been excellent. They allowed phased return, pumping at work for 9 months, timeframe was determined by myself. They have been supportive of my need to stick to hours (excluding during audits which was planned), they have been flexible to allow me to attend dentist with my son.” [Private Sector]**

Some respondents who believed that they had been treated fairly found that a good employment experience during pregnancy does not necessarily mean it will continue during maternity leave or on return to work. Some had changed their employer on return to work and made a distinction between the treatment they received from different employers. In particular reference was made by some to the way in which they had been treated due to sickness absences following maternity leave.

Example comment:

**“I have no complaints about my period during the pregnancy and during my maternity leave. My Line Manager in particular was very helpful and supportive. I do however feel very aggrieved of my treatment after the birth. I took no sick leave whatsoever during my pregnancy and have never abused sick leave. I was referred to a consultant after the birth due to problems which arose after the birth, which required a period of sick leave. Regardless of OHS advice, which was that I was unfit for work, I was more or less told this is the date you are to come back to work by a Senior Manager in my Department. She was also less than sympathetic. I find this most unfair to any mother after having a child, especially when they are still receiving and waiting for further treatment. To add insult to injury, I was given a 2 year written warning. Once again I will re-iterate, I have never abused sick leave in the Civil Service and I have been employed here almost 20 years. So to answer your question, my treatment during my pregnancy was brilliant, however after was nothing short of pressurising and unfair. In my experience, I found that the new mothers are more unfairly treated after pregnancy. That is my opinion.” [Public Sector]**

There were, however, some respondents who believed they were treated fairly, and some who were unsure about their treatment, who reported similar experiences to those who believed they were treated unfairly. In total, 578 respondents indicated that they had not been treated unfairly. Not all of these respondents provided comments about their employment experience but the comments of one in six of the respondents who commented [16.6%/N=96] indicated they had been treated in a similar way to those who believed they had been treated unfairly. For example, respondents reported that employers failed to address health and safety risks, to make adjustments to work load, that they were sidelined or failed to get promotions they felt they deserved, or they lost their jobs. The reason why these respondents did not believe they had been treated unfairly is unclear; the majority were informed of their employment rights. Some respondents may have justified the behaviour of their employer or may have been uncertain that it was due to their pregnancy, others may have had low expectations about the treatment they would encounter.

Example comments from women who believed they had been treated fairly or were unsure:

**“Had back problems during pregnancy but manager did not take account of this when asking for altered duties and duties were only changed following a periods of sick leave as GP recommended rest for back pain!” [Public Sector]**

**“Still expected to work 50+ hours per week (contracted 37.5) ...Initially advised promotion may not be possible due to maternity leave, regardless of merit/performance but when challenged said it might be possible, awaiting outcome.” [Private Sector]**

**“I interviewed for a leadership role while pregnant and knowing I did a great interview with very positive informal feedback, I was unsuccessful, the job was given to a male candidate. I believe this was due to my pregnancy.” [Public sector]**

**“I felt a bit like 'oh she's pregnant again' and was not given certain tasks to do that would have helped me develop as there was 'no point' because I was going off to have the baby....” [Public Sector]**

**“Contract came to an end just after I found out I was pregnant. Applied for numerous jobs I was adequately and / or over qualified for but I feel due to having a bump I was not employed.” [Public Sector]**

**“...had to ask for a risk assessment. My line manager said I didn't need one and only agreed to it after I had a fall in the office when 23 weeks pregnant.” [Public Sector]**

**“On the lead up to my maternity leave and upon my return my period of leave was constantly referred to in a negative way by my line manager. For example, 'you have no idea the bother this is causing', 'the problem is you are going off on maternity', 'thankfully we have your maternity leave to use as an excuse in the report', 'had I have known things would get this busy in your absence, I would have recruited cover'. [Public Sector]**

**“...as a temporary worker [I] had been warned not to get pregnant when offered a temporary position. I was also not allowed to take any sick days and the one day I had to leave early due to sickness in pregnancy I was told my employment would not continue if I took another day off.” [Public Sector]**

**“Was told that if I didn't return to work before summer holidays that they would keep this in mind when thinking about redundancies.” [Public Sector]**

**“Timetable remains same and management meetings - all after school meetings must be attended. No change despite 34 weeks pregnant. No risk assessment carried out.” [Public Sector]**

**“No allowances were made to the level of work I was still expected to do so I ended up having to take time off sick when I didn’t want to. Stress was a big factor in my last pregnancy.” [Public Sector]**

**“Since returning to work I have been told by more than 1 male senior member of staff that my child is now my 1st priority which will make progressing any further a lot more difficult.” [Private Sector]**

## **4.3 Types of treatment or disadvantage experienced: respondents who were unfairly treated**

### **4.3.1 Summary**

- **Women who believed they been treated unfairly or disadvantaged due to their pregnancy or having taken maternity leave were asked to identify their specific employment experiences from a list of given options representing potential unfair treatment and disadvantage.<sup>35</sup>**
- **Respondents reported a variety of experiences which they believed disadvantaged them financially, in furthering their careers and in respect of job status and general professional standing.**
- **Comments made by respondents indicated that they felt their treatment resulted from:**
  - **an attitude which viewed them as an inconvenience,**
  - **assumptions made that, having started a family, they were no longer interested in their careers,**
  - **poor organisational policies or a lack of implementation of policies,**
  - **a lack of compliance with legal obligations, and**
  - **a position of vulnerability for those employed on non-permanent contracts.**
- **Respondents employed in all industry sectors reported experiencing one or more unfair treatments.**
- **The most common unfair treatment reported was a failure to assess risk to health and safety following notification of pregnancy. This affected more than half of the respondents [52.9% of 225 respondents] and impacted on ability to carry out their duties and/or to remain in work.**
- **Two in five respondents stated that their work role changed against their wishes [40.2% of 225 respondents]. This was invariably viewed as a detriment to future career opportunities and earning potential as respondents reported removal of previously held responsibilities or clients.**

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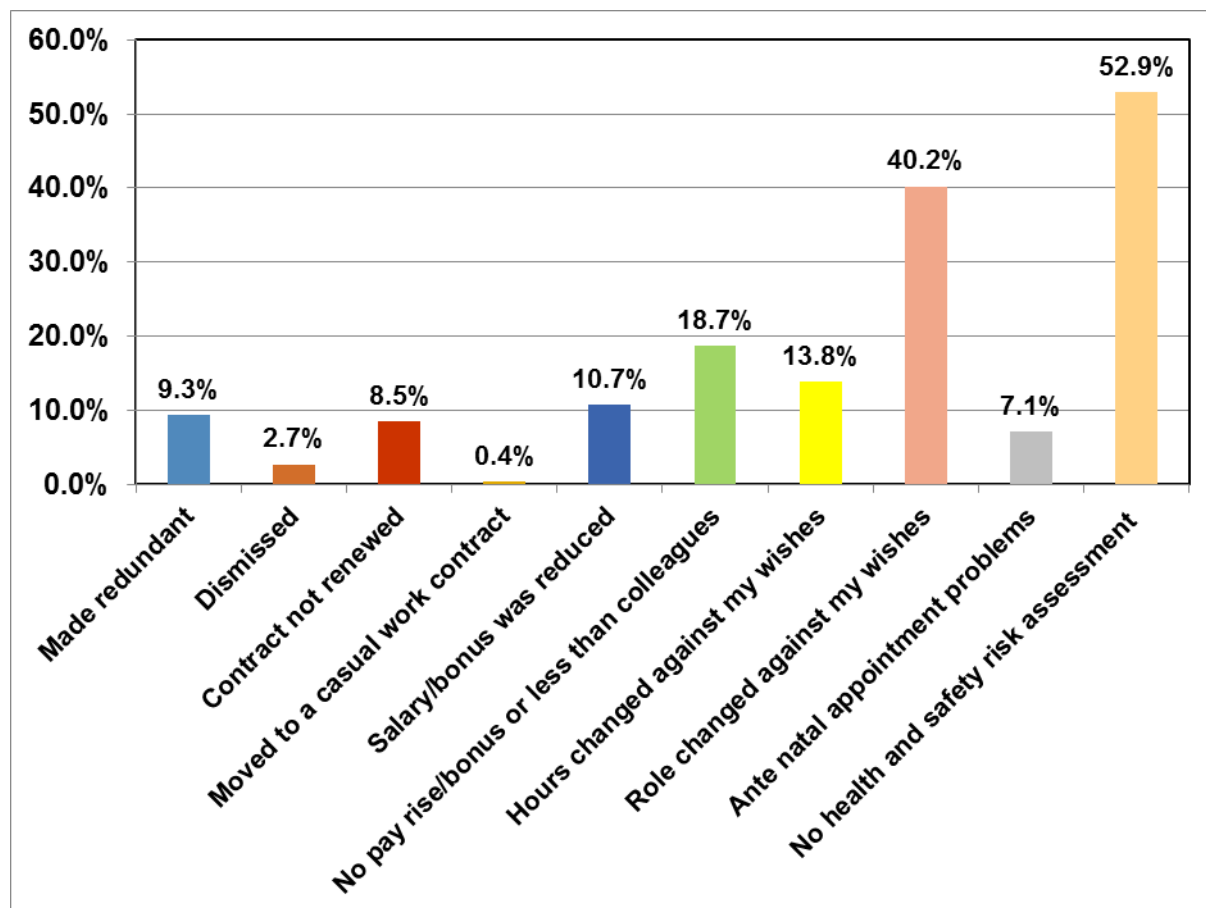
<sup>35</sup> Not all respondents who indicated they were unfairly treated identified the type of treatment they received; The number of respondents will be identified throughout.

- **More than one in four respondents [29.3% of 225 respondents] reported unfair treatment which had direct impact on their finances where they suffered detriment to their salary or bonus payment. They largely blamed organisational policies which penalised absence from the workplace and unfair criticism of work performance.**
- **A further one in seven respondents [13.8% of 225 respondents] reported enforced changes to working hours which impacted on salary and in some cases on entitlement to Statutory Maternity Pay.**
- **One in five respondents [20.4% of 225 respondents] believed that they had lost their job as a result of their pregnancy or having taken maternity leave. Around one in three [30.4% of 46 respondents] had not found further work at the time of the survey.**
- **Respondents working on non-permanent contracts were more vulnerable to job loss during pregnancy, maternity leave or on return to work. One in five respondents [20.9% out of 91 respondents] who were employed fixed term, temporary, zero hours or other casual contracts lost their job.**

### 4.3.2 Unfair Treatment Reported by Respondents

The chart below shows the percentage of respondents who reported experiencing each type of potentially unfair treatment. A total of 225 respondents identified the unfair treatment they experienced during pregnancy, maternity leave on return to work.

Figure 9: Types of unfair treatment reported by respondents [N=225]



#### Failure to Assess Risks to Health and Safety

The most commonly reported treatment was the failure, or in some cases refusal, by employers to conduct a health and safety risk assessment of the work environment for pregnant employees.

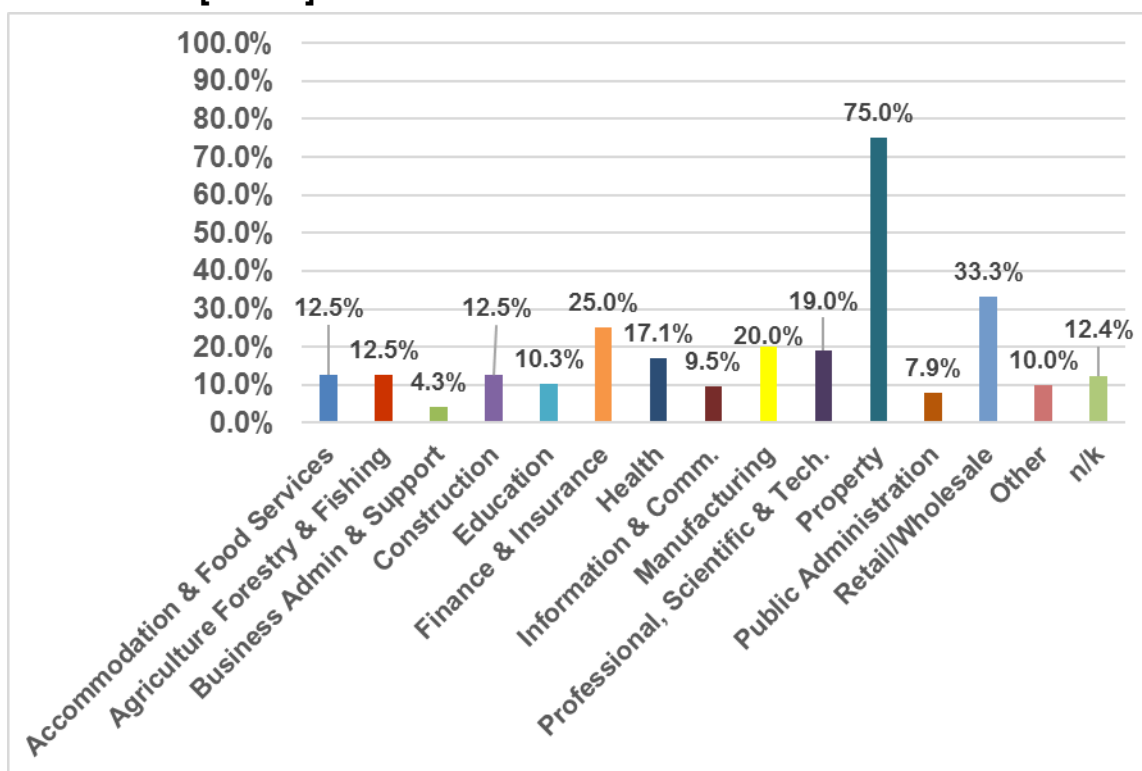
More than half of the 225 respondents who answered this question indicated that their employer failed to conduct a risk assessment after they had been advised of the pregnancy [52.9%/ N=119/225]. Respondents commented that this failure led to absence from work due either to sickness absence or to taking maternity leave earlier than wanted.



Proportionately twice as many respondents employed in the Private Sector as compared to the Public Sector stated that their employer failed to conduct a Health and Safety risk assessment and this was also more likely if the respondent was employed on a fixed term or casual contract [20.7%/N=30 out of 145 Private Sector respondents compared to 10.4%/N=57 out of 549 Public Sector respondents].

The chart below shows the percentage of respondents working in each industry who indicated that the risk to their health and safety was not assessed. There are many industries identified where assessment of risk would reasonably be deemed essential. For full details see Table 24 in Appendix 1.

**Figure 10: Percentage of respondents working in each industry sector who indicated that their employer failed to conduct a health and safety risk assessment [N=119]**



Comments from some respondents indicate that even though a risk assessment was not conducted they did not consider their work environment hazardous and so were not unduly concerned about this. These respondents believed they had experienced other unfair treatments.

Some respondents commented that a refusal to conduct a risk assessment put them and their baby at risk. Comments stated that some employers displayed a blasé attitude towards health and safety with some refusing to act on advice of health

professionals. They felt that where organisational policies existed they were ignored and that there was no consideration of different ways of working.

Some respondents believed there was little recognition by employers that pregnancy is an individual experience which affects women in different ways. They felt they were viewed as an inconvenience to their employer.

Respondents described how, as a consequence of a lack of consideration of risks to health and safety, their health suffered and they were absent from the workplace. In extreme cases they blamed the workplace for premature births and postnatal illness.

#### Example comments

**“No health and safety risk assessment was carried out by employer (especially in relation to working at height/ladder usage). Advised I needed to provide a doctor’s letter to state if there was certain work I couldn’t undertake, and told I needed to consider my colleagues who would have to pick up this work so I should not 'lean' on my doctor. No reduction in work level was offered until 34 weeks’ expectant. Work requires daily travel and no lunch break was provided with working day.” [Private Sector]**

**“I had to take time off sick because I had to move heavy boxes and equipment which resulted in a back injury and a placental injury which led to a bleed. I was put on bed rest but my employer bullied me into returning to work early and made no adjustments when I returned. Ultimately my placenta stopped working properly and my son had to be delivered early.” [Private Sector]**

**“Had back problems during pregnancy but manager did not take account of this when asking for altered duties and duties were only changed following a period of sick leave as GP recommended rest for back pain.” [Public Sector]**

**“During pregnancy I suffered from severe pelvic problems leading me to be on crutches. At the time I had to move around the building... over 29 times over 3 working days, going up 2 flights of stairs regularly. When I made a request to preferably teach from one single classroom I was brought into a storeroom by the principal and told I was trying to cause trouble and that he would under no circumstance do as my GP had requested in a letter to him.” [Public Sector]**

**“I explained to my manager as a result of my pregnancy I had very low blood pressure which was affecting my health. I was informed by my manager that pregnancy wasn't an illness.” [Public Sector]**

**“...I was told [the] company would do nothing nor were they obliged to help with hours or allow me to take proper breaks. Told me a risk assessment was minimal, people use pregnancy as a disability and his wife was pregnant and could work 13 hour shifts.” [Private Sector]**

**“When I informed him I was pregnant he was not happy...My boss sent me up on a cherry picker during my pregnancy even though he was aware of my condition. I had severe back pains during my pregnancy and asked HSE for a new chair, none was forthcoming during my entire pregnancy .... I work in a laboratory setting and due to the compounds we work with pregnant employees do not perform lab work for safety reasons. However, my supervisor asked that I perform lab work on a compound he deemed safe...I had to bring an article to my supervisor stating the potential health issue with this compound...As a result of this treatment I have sought another employment position.” [Private Sector]**

**“No risk assessment carried out for my pregnancy by the employer. I was a high risk pregnancy due to previous illness. I had to go on sick as I was not allowed to be stressed during this pregnancy.” [Public Sector]**

In addition, respondents reported difficulties in getting leave to attend ante-natal medical appointments. Most respondents were allowed time off to attend medical appointments. However, a small number stated that their employers made attending their ante natal medical appointments difficult; indicating a lack of knowledge amongst some employers of their legal obligations.

Example comments:

**“My employer told me that I would have to take my antenatal appointments on my days off or in my spare time unpaid....” [Private Sector]**

**“I had difficulty getting time off to attend antenatal appointments and my employer tried to refuse to pay me for this time off.” [Private Sector]**

**“I was refused time off for appointments and I had to take hospital appointments on my own time.” [Private Sector]**

**“I wasn't given paid time off for appointments, I had to work the hours back and then find extra childcare and also extra travel costs.” [Private Sector]**

## Financial Detriment

Respondents reported that in their experience unfair organisational policies, or non-adherence to policies, caused financial detriment.

They also reported that an employer's lack of knowledge of employment rights or attitude to pregnant employees caused financial detriment. For example, where annual leave days were lost due to having taken maternity leave,

Example comments:

**“Myself and a male colleague were both expecting new children during our summer holidays from school. I had begun maternity pay during the holidays and lost all entitlement to pay or days in lieu for these holidays already earned. My male colleague enjoyed 2 months off with his new baby and had his full holiday pay” “I lost any entitlement to holidays that I had earned”. [Public Sector]**

**“Employer withheld childcare vouchers because I was going on maternity leave despite them being offered to all members of staff.” [Private Sector]**

**“I had to argue about being paid for Keeping InTouch Days. I worked for 10 days in a row, travelling over two weekends and attending a meeting in the intervening week, and my employer only wanted to pay me for the intervening week.” [Public Sector]**

**“My patients were given to other staff, making it difficult for me to earn a similar wage to before my maternity.” [Public Sector]**

**“They incorrectly calculated my maternity pay and only discovered it after 6 months and now I have been presented with a bill for repayment, which I had not budgeted for. The error is theirs and yet I am now stressed trying to work out how to repay almost £2000.” [Private Sector]**

In addition, some employment experiences directly affected the earning potential of respondents, for example due to:

- non-payment of pay rise or bonus payments
- enforced reduction in working hours
- removal of client base
- loss of job

## No pay rise or bonus

Example comments:

**“I am not involved in any of the new training or staff parties or bonus [payment].” [Private Sector]**

**“Not given performance related bonus that I was told I would be getting before they found out I was pregnant.” [Private Sector]**

Just under one in three respondents stated that their earnings and/or bonus payments were either unpaid or reduced or were not increased in line with colleagues [29.3%/N=66 out of 225 respondents].

This issue affected proportionately more respondents employed in the Private Sector in comparison to Public Sector and Voluntary and Community Sector workers. Around one in four respondents working in the Private Sector received no pay rise/bonus or a lesser amount than colleagues. [24.8%/N= 36 out of 145 employees].<sup>36</sup>

Salary increases or bonus payments were often linked to performance. Some respondents raised issues where their employer’s appraisal policies and procedures did not take account of their period of maternity leave in either the timing of the appraisal or in the setting of objectives. Respondents also believed that attitudes of managers towards working mothers led to their performance being unfairly criticised, preventing them from being rewarded with the bonus payments or salary increase they felt they deserved.

**“I was not given an annual pay rise or bonus.... In appraisals goals were set that I could not achieve due to my leaving on maternity leave.” [Private Sector]**

**“As I'm only back I'm missing out on my appraisal which is worth 20% towards [company's] new training scheme, therefore I will not be part of the top 20% of deputy store managers that will take part in training with the store managers. I feel they should take the 20% from my previous appraisals, I shouldn't lose out due to being out on maternity.” [Private Sector]**

**“My manager was particularly horrible, only had negative comments and gave me a poor appraisal, even though the work I completed was at a grade higher than my own.” [Public Sector]**

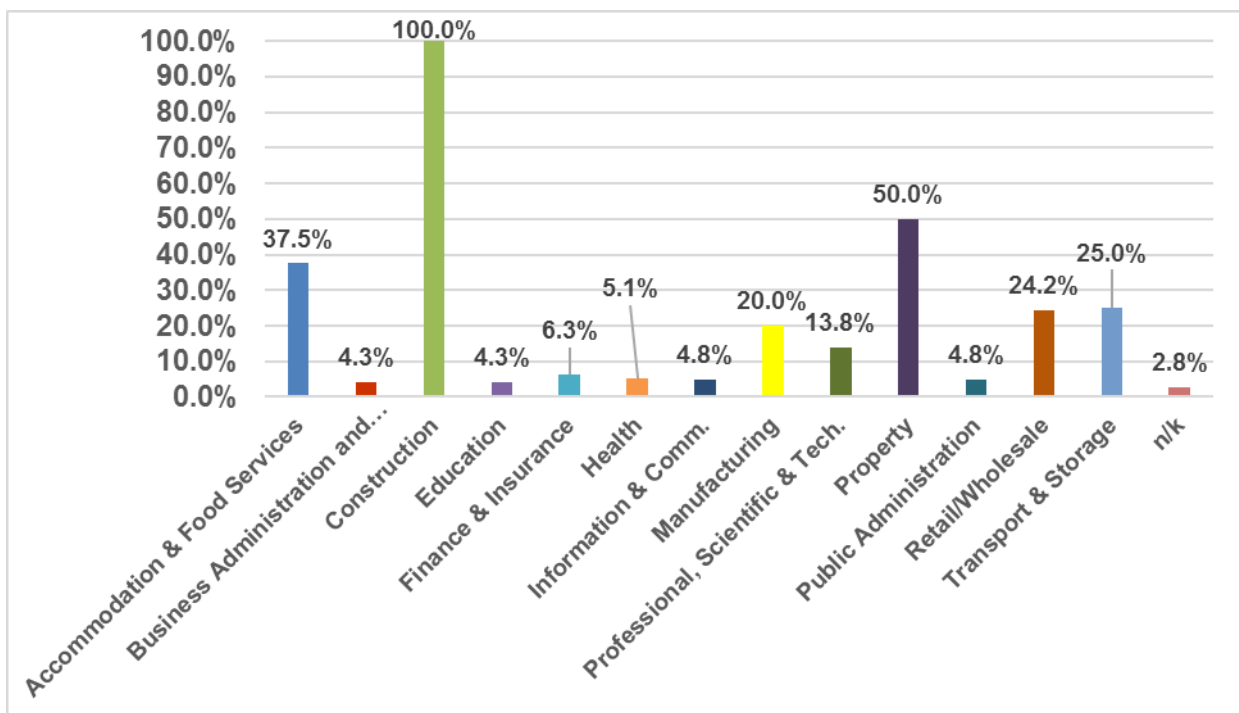
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<sup>36</sup> Compared to 5.3%/N=29 out of 549 respondents in Public Sector employment and 6.6%/N=4 out of 60 respondents employed in the Voluntary and Community Sector.

**“My manager has made life difficult, held me back from training and progression, allowed my role to diminish to a very basic role, refused my annual pay increase, performed a very unfair pdp [appraisal] not adhering to company policy, caused issue over maternity appointments, refused me time to get involved in projects that could gain me experience.” [Private Sector]**

The chart below shows the percentage of respondents working in each industry who stated that their salary or bonus payments were affected. Proportionately more respondents working in industries such as Construction [N=8], Accommodation and Food Services [N=3] and Property [N=2] believed that their salary and/or bonus payments were affected. For full details please see Table 25 in Appendix 1.

**Figure 11: Percentage of respondents in each industry sector who stated that their salary/bonus payment was affected [N=66]**



## Working Hours Changed Against Wishes

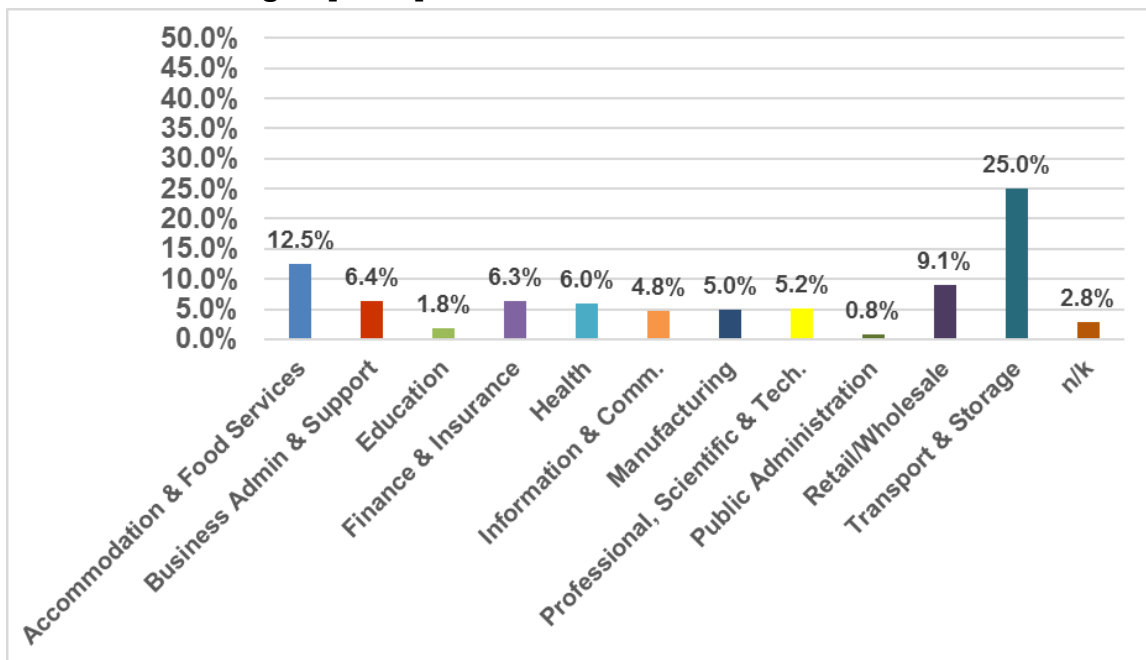
Around one in seven respondents had their working hours changed against their wishes [13.8%/N=31 out of 225 respondents].

Although such changes could mean a reduction or an increase in hours, or that shifts were changed, for more than two in five respondents these changes took place during their pregnancy and generally meant a decrease in working hours [42%/N=13 out of 31 respondents].

Where working hours are reduced during pregnancy the detriment to salary may affect entitlement to Statutory Maternity Pay. Of the respondents who had their working hours changed those with less than 1 years' service and those who were employed on zero hours or other casual contracts were more likely to report this treatment.<sup>37</sup>

The chart below shows the percentage of respondents working in each industry who stated that their hours were changed against their wishes. For full details see Table 28 in Appendix 1.

**Figure 12: Percentage of respondents in each industry sector whose working hours were changed [N=31]**



<sup>37</sup> 7.3% of respondents with less than one year of service compared to 2.9% of those with more than 3 years' service and 26.7% of respondents working zero hours or other casual contracts compared to 0.3% of those working permanent contracts.

Example comments:

**“Because I had a difficult pregnancy and was off work for quite a while I was ... put on a casual rota which reduced my salary by over half and I was not earning enough to get my maternity pay.”**

**[Sector- “Don’t Know”]**

**“When I told my manager I was pregnant she replied ‘well that’s just... great, have you no control’. Her attitude continued right the way through pregnancy, changing my work hours and giving me the unpopular shifts constantly. When I complained, she said I was ‘hormonal’.”**

**[Public Sector]**

**“I was ‘directed’ to towards a redundancy package, and encouraged to avail of it. Following some resistance on my part, I was transferred to another department and had my hours reduced from 70% to 60% of an FTE.” [Public Sector]**

**“My employer, ..., tried to make me redundant, reduced my hours against my will and changed my working pattern without my consent.”**

**[Voluntary and Community Sector]**

**“My contracted hours were changed rather than me requesting a reduction.” [Voluntary and Community Sector]**

## **Loss of job**

In more extreme cases one in five respondents found that they lost their employment and believed that this was due to their pregnancy or having taken maternity leave [20.4%/N=46 out of 225 respondents].

Respondents indicated that they were made redundant [N=21]; were dismissed [N=6] or found that their contracts would not be renewed [N=19].

Respondents working in organisations with less than 10 employees were proportionately more likely to lose their jobs [12.1%/N=9 out of 58 employees] as were respondents working on non-permanent contracts [20.9%/N=19 out of 91 respondents].

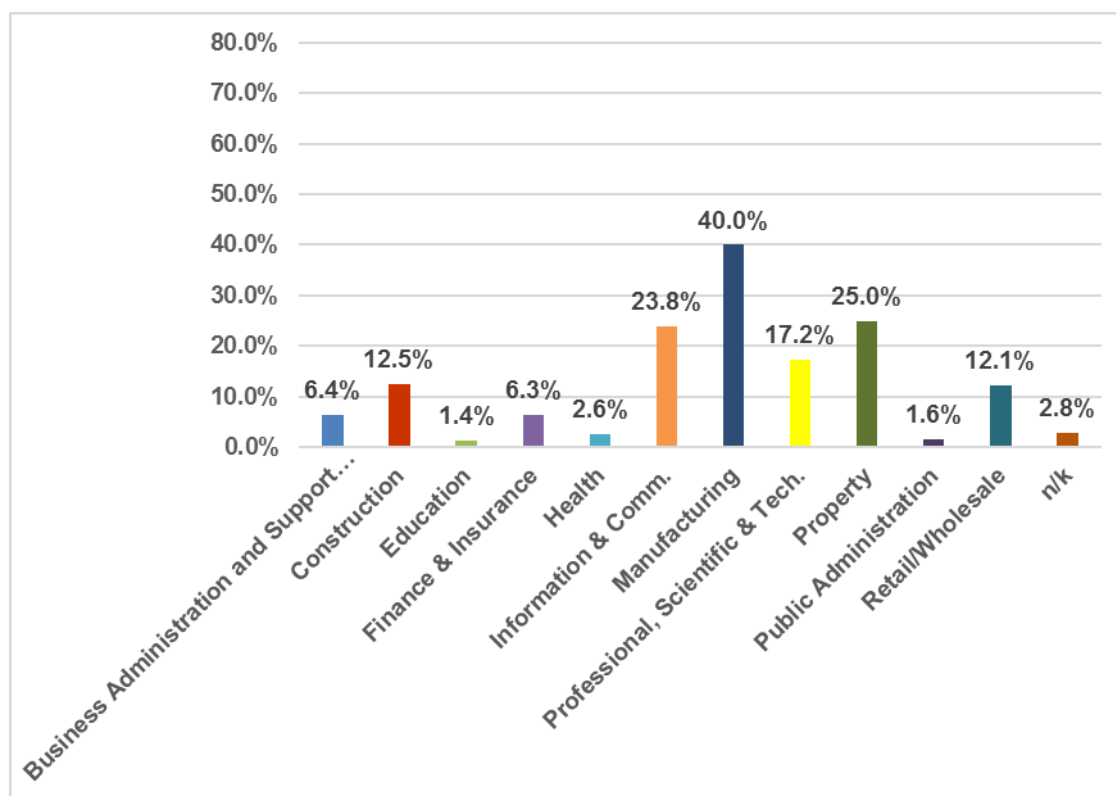


Redundancy and dismissal were proportionately more likely to occur in the Private Sector: whereas non-renewal of contract was proportionately more likely to be experienced by employees in the Voluntary and Community Sector.<sup>38</sup>

Almost half of the respondents who had been made redundant were made redundant whilst on maternity leave [47.6% /N=10 out of 21 respondents]. Some had accepted voluntary redundancy or compromise agreements but clarified that they did so because they were unhappy with the way in which they had been treated by employers.

The chart below shows the percentage of respondents in each industry who lost their job either through redundancy, dismissal or through non-renewal of contract. Two in five respondents who were employed in Manufacturing lost their jobs [N=8] For full details see Table 27 in Appendix1].

**Figure 13: Percentage of respondents in each industry sector who lost their job N=46**



<sup>38</sup> Redundancy 7.6%/N=11 and Dismissal 3.5%/N=5 out of 145 Private Sector respondents: non-renewal of contract 5.0% N=3 out of 60 Voluntary and Community Sector respondents

Example comments:

**“My maternity cover was given [a] permanent position and I was made redundant.” [Public Sector]**

**“I was made redundant during my last pregnancy. The circumstances of the redundancy were horrendous: it was rushed through, staff being made redundant were treated like pariahs, information wasn't given out in a timely manner, the redundancy was unlawful since the company was advertising vacant positions within the department, ...”  
[Private Sector]**

**“Made redundant to coincide with what would have been my return to work date. I had mentally prepared myself for the return to work. The knock to my confidence was a massive blow to my ability to get employment and provide for my family. I found it difficult to find legal assistance and support at a time when everything seemed to have collapsed around me.” [Private Sector]**

Half of the respondents who were dismissed experienced this on their return to work [N=3]. Some respondents cited sickness absence following maternity leave as leading to dismissal and some who had accepted Compromise Agreements classed their departure as dismissal.

Example comments:

**“I was not formally dismissed I had the option to leave of my own free will on the Monday with a good reference or be dismissed on the Friday.” [Private Sector]**

**“After my treatment during my pregnancy and maternity leave I was having panic attacks and became depressed. I was sacked despite being on a sick line.” [Private Sector]**

**“Awful treatment -left with compromise agreement after being told if I didn't take it they would look at performance.” [Private Sector]**

Some respondents with non-permanent contracts were vulnerable to non-renewal of contracts. In many cases respondents believed that it was notification of their pregnancy which prompted the termination or non-renewal of their contract.

Example comments:

**“I was the only temporary worker who did not receive an extension to their contract. I had been asked to undertake a course and had signed up to do so but everything changed when they knew I was pregnant”.  
[Sector not known]**

**“When I was 7 months pregnant my contract (full-time) was coming up for renewal and I was told, completely out of the blue, that my contract would not be renewed (despite no issues with my performance and no prior warning). When I asked what had suddenly happened my manager told me he 'had been thinking about this for a long time ...several months, as there was no longer a business case for the position'. When I asked why I had not been informed several months ago that this might happen so I might still have had an opportunity to look for other work I was told he felt it would have been 'inappropriate' and 'not my business'. At 8 months pregnant I found myself out of a job... About 4 months later a new person was recruited to take over my job (part-time). A few months after that a further person was taken on to cover the other part of my job (part-time again).” [Voluntary and Community Sector]**

**“I was made redundant/ had my contract terminated when I was pregnant with my 3 year old child. Before I told my employer I was pregnant I was on track for a promotion in highly skilled, professional, graduate position, and was due to receive extensive training. When I told my employer I was pregnant everything changed. The training was cancelled and I was told I would no longer have a job in several months due to "financial circumstances". My manager told me it was "nothing to do" with my pregnancy and denied ever telling me I would be promoted and said the training was only ever provisional.” [Private Sector]**

**“Contract was not renewed. My contract had been renewed on 4 separate occasions but was not renewed when they found out I was pregnant.” [Public Sector]**

In general, respondents working on non-permanent contracts in Private Sector employment were proportionately more likely to be negatively impacted financially due to either salary or bonus detriment, lack of stability in their working hours or through job loss. There was also some evidence that proportionately more respondents were “let go” from smaller organisations. There may, therefore, be implications for female employees as a result of the recent economic recession where we have seen a progressive reduction in Public Sector jobs in Northern Ireland and an increase in the use of non-permanent contracts of employment.

In addition, some respondents commented on the difficulties of finding new work. Those who were pregnant believed that this hindered their prospects and new mothers found it difficult to obtain comparable employment with flexible working conditions. Of the 46 respondents who lost their job approximately one third remained unemployed at the time of the survey [30.4%/N=14 out of 46].

Example comments:

**“I believe having my wedding band on at interviews and being of childbearing age has resulted in me not getting posts within my capabilities. My career feels to be ruined as I can’t actually get a job in my field at present.” [Private Sector]**

**“I attended job interviews but I knew I was unlikely to get a job when I was visibly pregnant... I received only statutory maternity pay when I was off resulting in financial strain... I was forced to look for work very soon after having a child which I found stressful and difficult and I also felt it took me away from time with my baby as I spent a lot of time researching and applying for jobs. I felt really guilty that I was not fully focused on my child during this time as I was so worried about my finances and job prospects. Also I had to explain my break in employment when the time came to attend interviews (the first being 2 months after I had the child) which I felt reduced my chances of getting a job- it took me several months to find work and I wasn’t successful with 4 or 5 jobs before I eventually got one.” [Private Sector]**

**“I was already over 12 weeks pregnant when my options were given me which meant I could not look for another job straight away as no-one would employ me.” [Private Sector]**

**“[I] have not been able to get a similar level job since because there are very limited jobs available in my sector and specialisation in Belfast (unless I move to London or Dublin). My average pay used to be £35,000 but I had to take very low paid, by the hour jobs including night work starting when my youngest baby was 6 months old just to get by - despite the fact I have 2 Masters degrees and am extremely experienced ... In addition, childcare costs a fortune and in my current job I've just been told my job is changing to 5 days a week (instead of 4) which means my pay goes up by £200 a month but my childcare by £300. So more work for less money. The employer doesn't care and just stated 'like I said, it's a five day a week job' and I have no other options so I'll stay. I'm so angry though and I'm absolutely disgusted with the government and the lack of childcare support. It's scandalous! They are absolutely trying to keep women out of the work place!” [Voluntary and Community Sector]**

**“Contract not renewed. Felt like I was punished for starting a family. No prospects. Having now to rely on benefits as no jobs available.” [Public Sector]**

## **Change in work duties**

Two fifths of respondents found that their work duties were changed against their wishes [40.2% N=90 out 225 respondents].

This type of treatment was experienced equally across all three employment sectors, but most respondents experienced a change in duties during their pregnancy [42.2%/ N=38 out of 90 respondents].

Other respondents experienced a reduction of their duties on return to work as a direct result of having taken maternity leave. On return to work they found that their normal duties had been distributed amongst others employees or that their maternity cover remained in post.

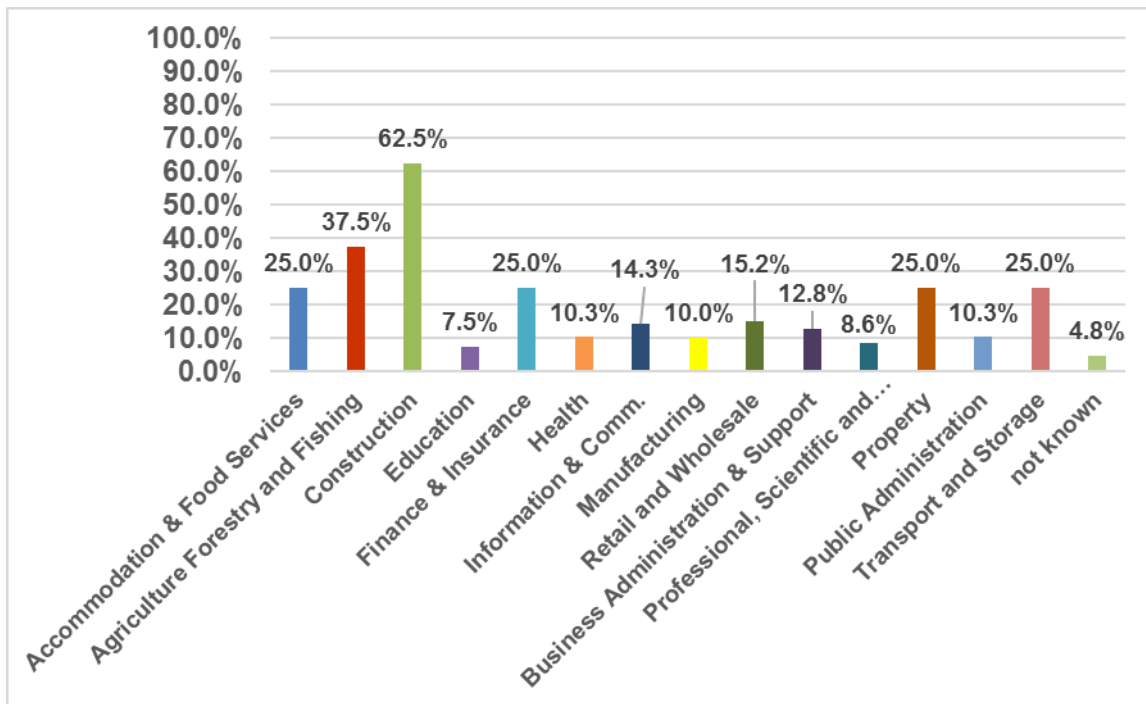
Most respondents viewed a change in their duties negatively; nine of out of ten respondents identifying this treatment also stated that their career opportunities were a little or a lot worse.

Respondents felt that the changes amounted to a demotion or that they were being positioned into jobs which were more vulnerable during cut backs. In some cases, respondents described how key responsibilities and in some cases key clients were removed and given to other employees.

Changes in duties impacted negatively on self-confidence, increased feelings of vulnerability to job loss and added to the stress of returning to work following maternity leave. Comments made by respondents indicate that they believe that such decisions were based on assumptions about their capabilities.

The chart below shows the percentage of respondents in each industry who stated that their duties had changed against their wishes. More than half of the respondents working in the Construction industry reported that their duties had been changed against their wishes [N=5]. For full details see Table 26 in Appendix 1.

**Figure 14: Percentage of respondents in each industry sector who whose work duties had been changed against their wishes N=90**



Example comments:

**“My work which I had previously been tasked with whilst I was pregnant was denigrated to the point my confidence was destroyed”.**  
**[Public Sector]**

**“Job description and duties were diluted changing my position on the company hierarchy.... I was moved from my own personal office to a desk in the main office upon my return.”** [Public Sector]

**“Felt roles and responsibilities have been taken from me after taking 1 year on maternity leave; communication is now non-existent.”**  
**[Public Sector]**

**“I have only been back to work five months now on a phased return as I was very ill after my baby was born last year. The person who was in from an agency was kept on and was given my work to do. ... I have only been given part of my work back and other parts have been passed to another male in the office.” [Public Sector]**

**“Manager used my pregnancy to change my hours and job role. Was advised my job could not be guaranteed when I returned from maternity leave as it would depend on business demand.” [Private Sector]**

**“Since returning from maternity to announcing my second pregnancy my role and responsibilities have been greatly reduced. I am told this is due to my lack of availability on my new hours. I have dropped from 4 days to 3.5 days and there are several people including managers working part time hours, some less than me. Several of my more important duties in my role remained with my replacement maternity cover, she is also part time.” [Private Sector]**

**“Driven out of my managerial role and when I asked for some help to adjust I was refused and threatened with capability procedures if I didn’t accept a lower grade.” [Public Sector].**

## **4.4 Further negative employment experiences: respondents who were unfairly treated**

### **4.4.1 Summary**

**Respondents were asked to rate how strongly they agreed they had experienced a number of unfair treatments on a scale of Strongly Agree to Strongly Disagree.**

- **More respondents agreed than disagreed that they experienced the following:**
  - **Failure to adequately adjust workload to accommodate their pregnancy or their new working pattern.**
  - **Inappropriate or negative comments made by a manager/colleague**
  - **Failure to gain a promotion they felt they deserved or were sidelined**
- **Respondents believed they experienced these treatments due to negative attitudes towards pregnant employees and working mothers and unwillingness to consider different ways of working.**
- **Respondents reported that failure to make adjustments caused them stress and anxiety, impacted on their ability to work throughout their pregnancy and/or reflected a lack of concern regarding Health and Safety.**
- **Negative or inappropriate comments impacted on the respondents' self-confidence and on working relationship and were believed to reflect views that pregnant employees and working mothers were problematic for the organisation.**
- **Most respondents received negative or inappropriate comments during their pregnancy [61%/N=105 out of 171 respondents] although inappropriate comments were made about breastfeeding or their commitment on return to work.**
- **Those who failed to gain promotion or were sidelined believed that, unlike male colleagues, they were expected to accept that there was a choice to be made between parenthood and a rewarding career path.**



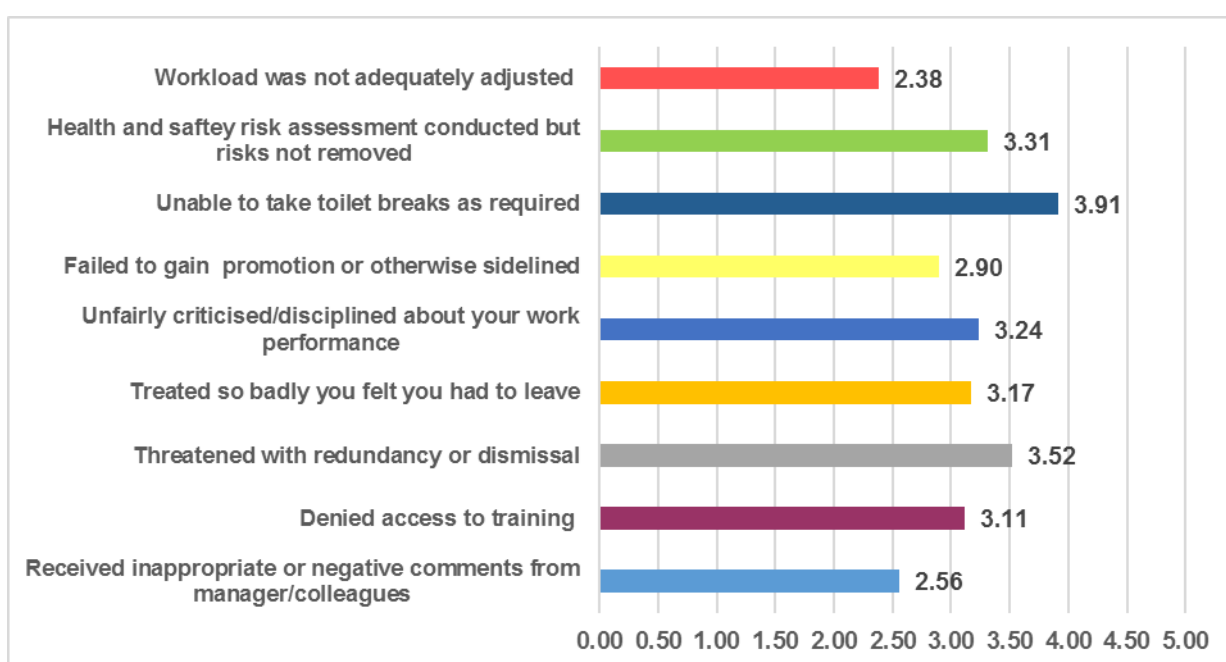
- **In all cases proportionately fewer respondents working in the Public Sector agreed that they had experienced these treatments compared with those working in the Private Sector and Voluntary and Community Sectors.**
- **Other experiences were reported which impacted on careers and damaged working relationships for example, being denied access to training or being threatened with redundancy or dismissal. A small number of respondents, mainly in service industries, reported that they were unable to take toilet breaks as and when required.**

## 4.4.2 Negative employment experiences reported

This section considers the responses of the 328 women who believed they have been treated unfairly or disadvantaged due to their pregnancy or having taken maternity leave.

The chart below shows the average rating for each statement. A lower average score indicates that a greater number of respondents agree with the statement than disagree.<sup>39</sup>

**Figure 15: Average rating by respondents of the extent to which they experienced each treatment [N=306]**



Score: Strongly agree=1; Agree=2; Neither agree nor disagree= 3; Disagree=4; Strongly disagree=5

<sup>39</sup> for full table of rating scores see Table 29 in Appendix1

## No adjustment to workload

Treatment	Strongly agree/agree		Strongly disagree/disagree		Neither agree nor disagree	
	No.	%	No.	%	No.	%
<b>Workload was not adequately adjusted to accommodate your pregnancy/new working pattern</b>	191	62.4%	68	22.2%	47	15.4%

With an average rating of 2.38, more respondents agreed than disagreed that their employer did not adjust their workload according to their circumstances; whether that be during their pregnancy or due to a new working pattern. A similar number of respondents strongly agreed [N=95] and agreed [N=96] that they have experienced this.

Proportionately more respondents working in Private Sector and Voluntary and Community Sector employment than in Public Sector employment experienced this failure to adjust workload.<sup>40</sup>

Although this was experienced by respondents working in a variety of Industry sectors proportionately more respondents employed in Retail and Wholesale Trade and Property sectors believed that their workload was not adequately adjusted. See Table 32 in Appendix 1 for full details.

A lack of adequate adjustments affected most respondents during their pregnancy; they believed their employer could have been more accommodating by for example, removing duties which required heavy lifting or removing the necessity to work long hours or travel long distances [61.3%/N=117 out of 191 respondents].

Failing to take account of individual circumstances and to make adjustments accordingly during pregnancy affected the ability of some respondents to remain in work and for others it made work life difficult and stressful. Some respondents reported being told that pregnancy was not an illness and having certified illnesses questioned.

Other issues raised by respondents included employers leaving the arrangement of and training of maternity cover to the last minute which increased the workload for pregnant women about to go on maternity leave. This may reflect either a lack of organisational procedures for managing pregnancy at work and/or a lack of communication between employee and employer.

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<sup>40</sup> Public sector 18.0%/N=99; Voluntary & Community sector 35.0%/N=21; Private Sector 34.5%/N=50

One in five respondents felt that their workload was not adequately adjusted on their return to work [20.9%/N=40 out of 191 respondents]. Comments made indicate that respondents felt that although their employer was prepared to be flexible they were expected to complete the same amount of work on reduced their hours; or that their employer failed to take account of their family commitments. Some respondents would have liked their employer to have a policy which would allow them to gradually increase their working hours on a phased return.

There was some evidence of employers' lack of planning for maternity leave where respondents reported that their employers approached them to work during maternity leave [6.8%/N=13 out of 191 respondents]. These requests were generally unwelcome but some respondents felt guilty if they did not agree to work. Some women commented that they voluntarily carried out some work during their maternity leave as they felt that not to do so would damage their careers.

Example comments:

**"I felt obliged to prove that I could carry the same workload as before pregnancy... The support you get is directly proportional to the empathy of your colleagues and managers." [Public Sector]**

**"No adaptation of workload, no effort to reduce stress, expectation to still work lots of overtime, no care that I felt physically and emotionally awful in first trimester." [Private Sector]**

**".. no flexibility on working hours or workload provided in terms of line working and additional hours expected, due to later complications in pregnancy consultant advised I could not work as I needed to be accompanied by someone at all times, when advising my manager I had to sign off with pregnancy related illness, was asked to undertake basic work at home but I had to refuse on medical grounds." [Private Sector]**

**"...The work was always expected to be done the same as before even though I had some physical restraints as I went further on in pregnancy. ... My experience made me doubt myself as a manager and a person which I feel is very unfair." [Private Sector]**

**"No reduction in work level was offered until 34 weeks' expectant. Work requires daily travel and no lunch break was provided with working day." [Private Sector]**

**"... I was ostracised as a result of refusing to undertake work whilst on maternity leave and for complaining about it. My privacy was not respected. I returned to having been gossiped about and made to feel very uncomfortable." [Public Sector]**

**“Shortly after my son was born I was bombarded with text messages to help with work related issues .... When I returned to work I was sent on a training course for several days in London and was also criticised for not creating as much work as my maternity cover had been doing...I felt the criticism was very unfair – I had also gone down to a four-day week and this was not taken into account.” [Public Sector]**

**“On return to work I have been expected to be able to get on with the exact same high level of work and extremely tight deadlines as before. Workload still remains exceptionally large and unattainable. No consideration has been taken of how I have adapted back into work or of me and my family health issues etc.” [Public Sector]**

**“Senior management were aware of my extreme sickness which persisted daily throughout my entire pregnancy ... Despite this there was NO consideration given to me. I was informed that "Pregnancy is not an illness. It is no excuse." After a number of weeks, when under extreme stress, dangerously high blood pressure I was signed off work for 7 weeks as medically unfit by my GP .... My baby was born early at 35 weeks, weighing 4lb 3oz after limited growth from week 31. I almost completely put this down to the treatment I received at the hands of my boss due to the extreme pressure I felt to perform at the expected level.” [Public Sector]**

**“After my return (with a new manager) I was being expected to do full-time work in part-time hours and the workload kept increasing. ... Looking back, I was bullied by two of the other management team who had unrealistic expectations of what I could achieve and ended up taking anti-depressants. I was also continually put under pressure to work Sundays which I had opted out of working separately to my flexible working arrangements.” [Private Sector]**

**“I was informed by my employer that heavy lifting is a low risk for a pregnancy and would have to continue my duties as normal or face a disciplinary which could lead to dismissal.” [Private Sector]**

**“Even when I was granted reduced working hours under DDA, my workload has not been decreased to allow for less hours worked.” [Public Sector]**

Respondents whose employers were willing to make necessary adjustments to workload and accommodate work life balance reported very different experiences.

The consideration of their circumstances enabled a less stressful return to work and supported respondents during their pregnancy.

Example comments:

**“Employer has been excellent. They allowed phased return, pumping at work for 9 months, timeframe was determined by myself. They have been supportive of my need to stick to hours..., they have been flexible to allow me to attend dentist with my son.” [Public Sector]**

**“She now takes into consideration working late can't always be done as I have a child now.” [Private Sector]**

**“I was reassured that my hours would fit round my family life.” [Private Sector]**

**“The principal was caring and thoughtful and tried to ease my workload in the latter stages of pregnancy.” [Public Sector]**

**“It is hard to describe support as I was not in contact with work during my leave but I extended my leave without any problems. My workload was taken over by an assistant while I was off. This meant that it didn't back up while I was off and so I didn't not return to an overloaded work load.” [Public Sector]**

**“He regularly checked how I was keeping and asked if there was anything he could do to help - in terms of workload and physical improvements to my working environment.” [Public Sector]**

Some comments highlight the need for discussion between employees and managers about expectations: pregnant employees may have wished to reduce their workload but they did not wish to be tasked with less interesting or challenging duties. Where respondents reported that an adjustment to their workload resulted in menial tasks or not being considered for certain projects, they believed this was due to their employer's belief that they were no longer interested in their work or were somehow less capable.

Example comments:

**“Upon my return to work I was given a different workload..... My work I had previously been tasked with whilst I was pregnant was denigrated to the point my confidence was destroyed.” [Public Sector]**

**“There was a change of management on my return and the new manager's approach was quite negative and condemnatory regarding**

workload and managing the demands of adjusting to full time professional role with responsibility of a child. While I was on maternity leave, part of my workload was allocated to another member of staff- then when I returned I was criticised for not having enough of a workload. I felt under tremendous pressure to perform well despite having tasks taken from me, in hindsight it was a very difficult situation.” [Public Sector]

### Inappropriate or negative comments made

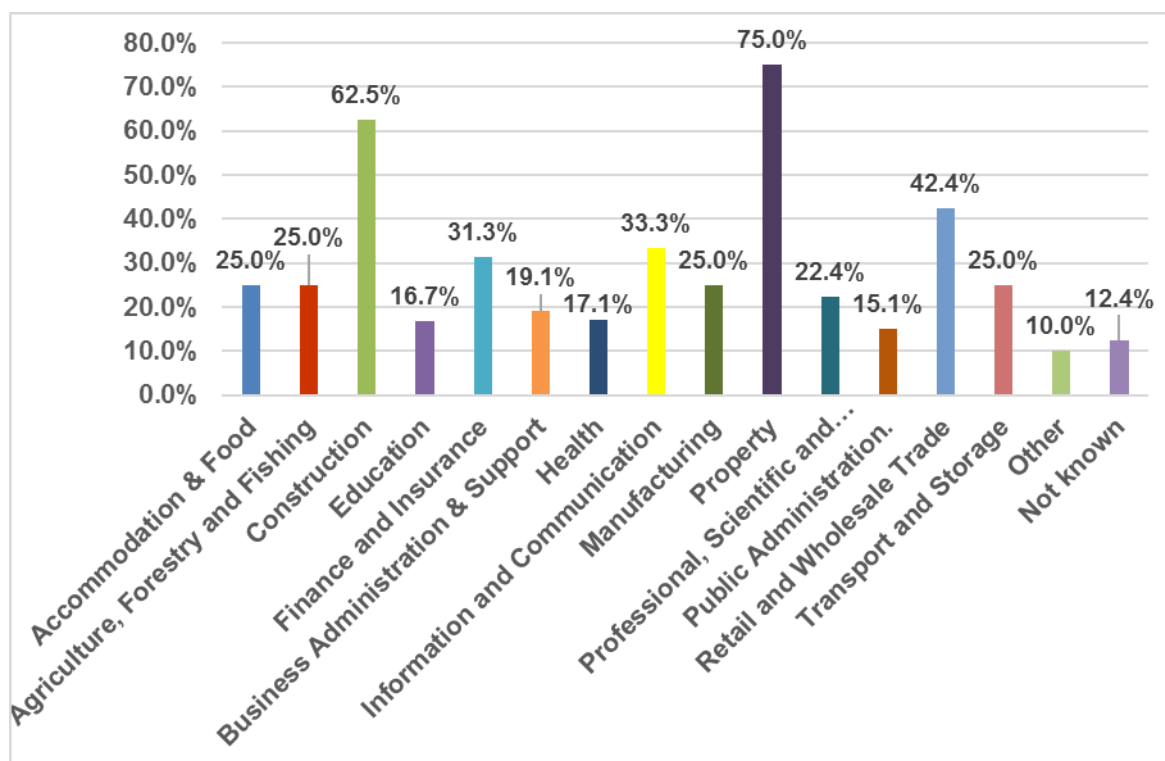
Treatment	Strongly agree/ agree		Strongly disagree/ disagree		Neither agree nor disagree	
	No.	%	No.	%	No.	%
<b>Received inappropriate or negative comments from manager/colleagues</b>	171	55.9%	89	29.1%	46	15.0%

More respondents strongly agreed with the statement “received inappropriate or negative comments from managers and colleagues” than for any other statement [N=99]. More than one in two respondents indicated that they had received such comments from colleagues or managers [55.9%].

Negative comments can reflect a negative attitude to pregnant employees and working mothers in general. If such comments come from senior management they can reflect a workplace culture. Comments tended to question a woman’s ability to do her job and in some cases were personal and entirely inappropriate and indicated a need for the organisation to raise awareness of equality legislation amongst employees.

Respondents employed across a wide range of industries are affected by this, although proportionately more respondents working in industry sectors such as Property [N=3], Construction [N=5] and in Retail and Wholesale Trade [N=14] agreed that they received inappropriate or negative comments. The chart below shows the percentage of respondents working in each industry who received inappropriate or negative comments from managers or colleagues. For full details see Table 30 in Appendix 1.

**Figure 16: Percentage of respondents in each industry sector who received inappropriate or negative comments**



Most respondents received negative or inappropriate comments during their pregnancy [61%/N=105 out of 171 respondents] and this experience was more prevalent in the Private Sector where more than one in three respondents had experienced this [33.1%/N=48 out of 145 respondents].

This compares with more than one in four respondents who worked in the Voluntary and Community Sector [28.3%/N=17 out of 60 respondents] and one in six respondents working in the Public Sector [16.4%/N=90 out of 549 respondents].

Comments from managers reflected disapproval about the pregnancy and expressed the difficulties that absence of staff caused to the organisation. Other comments suggested that the pregnancy would negatively impact on the employee's career reflecting an attitude about the future commitment of the employee and the role of women in society as the main carers for children.

Comments from colleagues tended to indicate resentment about sickness absences or the necessity for the restructuring of work, suggesting that changes are not planned for or easily accommodated in the organisation.



Following return from maternity leave comments made by managers made respondents feel unwelcome and that they were viewed as being less dedicated employees.

Respondents also reported receiving negative and inappropriate comments from their managers and colleagues relating to breastfeeding indicating a lack of policy relating to breastfeeding and negative attitudes towards breastfeeding mothers.

Negative or inappropriate comments from employers/management were described as integral in making respondents feel vulnerable in their position at work and also guilty at having become pregnant. These comments impacted on self-confidence, physical and mental health and ultimately lessened respect for an employer. As such receiving comments caused some respondents to leave their employer.

Example comments:

**“One of my bosses now says ‘you’re not going to get pregnant again anytime soon’ quite frequently as he felt my absence affected his job.”  
[Public Sector]**

**“Senior male manager ‘he would retire when I closed my legs and stopped getting pregnant’.” [Private Sector]**

**“...on return to work there was no facility for me to express milk and staff comments about breastfeeding were negative and derogatory; surprisingly these comments were from female colleagues.”  
[Voluntary & Community Sector]**

**“I was told my senior manager (male) made a comment to my manager (female) that women only work at 50% when they come back after having a baby. This made me feel that expectations for me when I return from maternity leave are low and that I will not be focused on my job!!!”  
[Private Sector]**

**“The sense of being devalued and continually undermined in my work has had the cumulative effect of undermining my confidence, which impacts on my ability to apply for other work. Prior to and since my return from maternity leave I have worked extremely hard for my employer, and it’s particularly frustrating that this, I feel, is no longer acknowledged or recognised.” [Public Sector]**

**“After I got married last year ...my boss ...sat down with me and told me that I had to make a decision about whether ‘I go for my career and be a successful respected woman or whether I waste my education and skills by falling into the trap of someone with a mediocre career with limited prospects or job satisfaction because of being held back by having a family.’...When I go on my maternity leave I will have the stress hanging over me that I may not have a job to go to...” [Public Sector]**

**“When I informed my manager I was asked inappropriate questions such as did I know who the father was..., When speaking to manager I felt spoken down to and as if I'm a nuisance.” [Private Sector]**

**“...my manager sat in a meeting, asked how old my son was now, and counted out 9 months and said I'd be going off again soon so no point discussing what work I would be doing in mid-2015. The same manager, on my return from a year's maternity leave in 2013, made numerous comments about the fact I was still breastfeeding my 11/12 month old (who did not take bottles or formula milk), including asking me last year if he still breastfed and when I said not any more, he leaned across the table, pretended to chomp on my boobs and said 'good, could you imagine feeding a child with actual teeth?’” [Public Sector]**

**“Repeated disrespectful comments from female manager about taking too much leave (6 months), breastfeeding and tried to make the keep in touch days compulsory, threatened to review my maternity entitlement in case I would get pregnant again.” [Voluntary & Community Sector]**

**“Male boss viewed pregnancy as an inconvenience. It was suggested you were less interested in your career and more interested in having a family. He told me he would not promote me because I was due to go off on maternity leave.” [Public Sector]**

## Overlooked for promotion or other career opportunities

Treatment	Strongly agree/agree		Strongly disagree/Disagree		Neither agree nor disagree	
	No.	%	No.	%	No.	%
Failed to gain a promotion you felt you deserved or otherwise sidelined	133	43.5	107	35.0	66	21.6

With an average rating of 2.90 more respondents believed that they had been overlooked for a promotion they felt they deserved or that they had been sidelined due to their pregnancy or maternity leave.

The proportion of respondents agreeing that they felt they had been overlooked for promotion or potential career development opportunities is high bearing in mind that that not all respondents will have been presented with such opportunities.

Comments made by the respondents indicate that in many cases the failure to gain promotion was based on a suspicion that it was due to their pregnancy or having taken maternity leave, rather than something they could prove. However, in other cases respondents were discouraged from making applications, encouraged to withdraw from the promotion process or criteria specifically excluded them from making application.

More than half of the respondents agreed that they had experienced this during their pregnancy [52%/N=68 out of 133 respondents]. More than a quarter had experienced this on their return to work following maternity leave, [26%/N=35 out of 133 respondents].

In some case employers failed to inform respondents of promotion opportunities while they were on maternity leave and they felt that they were denied the opportunity to apply for promotions they would otherwise have achieved [9%/N=12 out of 133 respondents].

Respondents also stated that they were removed from specific projects or found themselves sidelined from responsibilities, key clients and important areas of work they had previously been tasked with.

The respondents believed that their opportunities were curtailed either because of their impending maternity leave or because they were viewed as being less committed to their job because they now had dependents. They believed that as a female employee they were expected to accept that there was a choice to be made between motherhood and a rewarding career path, in a way that males colleagues were not.

Although respondents working in all three employment sectors experienced this, those working in the Private Sector and Voluntary and Community Sector were more likely to believe that they had been overlooked for promotion or otherwise sidelined.<sup>41</sup>

Proportionately more respondents who believed they had been overlooked for promotion or sidelined were employed in the Retail and Wholesale trade sectors [N=10] and in the Construction industry [N=4]. See Table 32 in Appendix 1 for full details.

Example comments:

**“The roles above mine were filled during both my maternity leaves and I was not made aware nor given the opportunity to apply. I have now no progression route and have been sidelined to a role I'm not comfortable with.” [Voluntary and Community Sector]**

**“I was not advised of promotion opportunities that arose while on maternity leave. I missed two chances of promotion to EO1.” [Public Sector]**

**“I was refused a promotion that was being implemented once I told HR I was pregnant. My work hours were changed to shift patterns although my contract was 9-5.” [Private Sector]**

**“No communication about jobs, promotion within own department, no internal trawls circulated. Someone else was offered a promotion (not advertised) within the department, got upgraded. I feel had I not been pregnant it might have been different.” [Public Sector]**

**“Taking maternity leave and having a family has massively impacted on my career prospects as I have been unable to apply for promotions - despite having the relevant qualifications and experience but I have definitely had to make a choice for the family and NOT career. Myself and other pregnant/family orientated teachers have been specifically written out of criteria for jobs. I feel it's a difficult choice for women to make!” [Public Sector]**

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<sup>41</sup> Public Sector [14%/N=75 out of 549] Private Sector [22% N=32 out of 145] and the Voluntary and Community Sector [22% N=13 out of 60]

**“My expertise was not used when developing an organisational policy regarding my work area. I had the most expertise in the organisation regarding that particular area. It made no sense to exclude me from developing the policy.” [Public Sector]**

**“I did not get a promotion, despite being the most qualified and experienced candidate. I believe this was because I was pregnant. A man got the job.” [Public Sector]**

**“Before I was pregnant I was up for a promotion. A new role in the department was agreed and I was the only candidate for the new role. I was told many times that 'the job was mine' and therefore would be advertised internally however now I am pregnant the new role has been postponed and the job will be publicly advertised when I am due to give birth/ be on maternity leave. I feel this is unfair treatment and it feels like a punishment for inconveniencing my boss by being pregnant.” [Public Sector]**

**“Excluded from career development opportunities e.g. leading projects. Exclusion from, or being undermined in, the areas of work I had been involved in prior to maternity leave.” [Public Sector]**

**“I was refused a promotion in a temporary basis. A job where I was the highest scoring candidate and the offer was retracted when I disclosed I was 5 months pregnant.” [Public Sector]**

**“My boss side lined me, taking clients off me and not communicating with me. This continued during my maternity leave when he ignored my request to start work 15 minutes early and leave work 15 minutes early to pick my kids up. He refused to speak to me or reply to my emails. I am back at work now and he has gone out of his way to make me feel like I am doing a bad job. This never happened before I went off on maternity.” [Private Sector]**

**“A store manager’s position ... had come up and I believe I would've got it if I wasn't pregnant, managers were going to move me when I was 7 months pregnant to run the store, but without promotion...” [Private Sector]**

**“I worked for one of the biggest professional services firms in NI and my manager told me ‘I did not think you would be worried about promotion - you are in maternity leave’.” [Private Sector]**

**“I think any chance of promotion will be on hold in case I have more children!” [Public Sector]**

**“In general, the [name of organisation] has positive measures in place to support women who are pregnant and on maternity leave. However, my line manager seemed hesitant to use them all which caused unnecessary stress. For example, at the time I went on maternity leave I was due for a performance assessment to determine whether I could be changed from ‘probation’ status to ‘permanent’ employment. My line manager tried to use the fact that I was on leave to refuse to review my status, and in my last week of pregnancy I had to consult the union on my rights and insist that the review be completed. I was then changed to permanent employment. A 9-month delay in this transition would have affected my promotion prospects later on.” [Public Sector]**

Some respondents experienced other unfair treatments which have the potential to impact negatively on ability to do their job and to damage working relationships. Although more respondents felt that they had not been subjected to the following treatments as a result of their pregnancy or having taken maternity leave, one in four women or more, reported that:

- they had been denied access to training that they would otherwise have received because of their pregnancy or having been on maternity leave [32.4%/N=99 out of 306 respondents]

Example comment:

**“Work load was significantly reduced following return from my first maternity leave, I have been ignored training progression requests and several times been told I don't need to attend things because 'things slow down when you are pregnant' and 'sure you'll be off on leave soon.’ [Private Sector]**

- they were unfairly criticised or disciplined about their work performance. They believed that time away from work due to pregnancy or maternity leave was not taken into account and that the unfair criticism was deliberate in order to penalise them in relation to career progression or pay. [33.7%/N= 103 out 306 respondents].

## Example comments

**“My closest colleagues (those beneath me in the management hierarchy) were questioned about my perceived failings instead of addressed to me directly. ...I was presented with a written list of perceived 'failed' duties however these were outside of my control due to extreme sickness throughout my pregnancy ... It was explicitly implied that if our school were to be inspected we would most likely fail due to my lack of performance ...” [Public Sector]**

**“I had my probation meeting (having joined a year previous), 3 days before leaving for maternity. My boss stated at this meeting that I had not fulfilled my conditions (I had, and this had been confirmed). A male colleague of the exact same level, experience and grade was confirmed in post automatically, with no meeting.” [Public Sector]**

**“Manager decided to do a performance review after I broke news of pregnancy and rated me poor for work carried out during period of morning illness but when I challenged her she said she reviewed me before she knew my pregnancy and wouldn't review or amend it taking pregnancy into consideration. He backed her up. I didn't have finances to take to court.” [Private Sector]**

- no action had been taken to address identified Health and Safety risks [27.1%/N=83 out of 306 respondents]. They felt that their employer failed in their duty of care and as a result respondents felt unsafe at work and in some cases relationships with the employer deteriorated resulting in legal action.

## Example comments:

**“My shift pattern remained the same but I was detailed several times to posts I was unable to work at and expected to remain there despite the risk assessment indicating these were unsafe environments for me to work in. This put my baby and my life at risk.” [Public Sector]**

**“..., I feel as though I was asked to work too many hours during pregnancy and that the requirements of my risk assessment were not met until I complained. My employer stated I needed more frequent breaks in the initial risk assessment, but offered no measures to provide this. Only after complaining and getting to 22 weeks of pregnancy was my work environment changed.” [Private Sector]**

**“I had a risk assessment carried out and stated that there needs to be someone during the early winter mornings to grit the tarmac I had to walk over travelling from the staff room to my classroom. However, the gritting was only done after I had walked on the slippery surface - I slipped but managed to recover my balance.” [Private Sector]**

**“A Risk Assessment was only carried out after much persuasion on my part, yet no health and safety procedures were carried out, in accordance with the workplace policy....” [Public Sector]**

- their employment experience made them leave or want to leave their employer. [35%/N=107 out of 306 respondents]. Unfair treatment was the main reason respondents sought other employment or left work. Respondents changed their employer during their pregnancy, [N=31] or changed or intended to change their employer following maternity leave [N=73].<sup>42</sup> A small number of respondents became self-employed [N=21] some stating that they did so because of negative employment experiences.

Example comments:

**“I knew that my work would be made difficult as they had made my experience during my pregnancy very tough. I was unhappy in my work due to the way I was treated....” [Private Sector]**

**“Didn’t want to work for an employer who treated pregnant women so abysmally and wasn’t notified about new opportunities in my old position.” [Public Sector]**

**“Went self-employed to avoid ever being treated the same way again.” [Private Sector]**

- their employer threatened them with redundancy or dismissal [23.5%/N=72 out of 306 respondents]. From comments made by respondents the threat of dismissal on various grounds often occurred during pregnancy, and was for some accompanied by an offer of a Compromise Agreement. Whereas others successfully resisted attempts to dismiss them or make them redundant.

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<sup>42</sup> 60 women were unemployed or were self-employed at the time of the survey



Example comments:

**“I would have been made redundant had my Union not intervened.”  
[Public Sector]**

**“I was "directed" to towards a redundancy package, and encouraged to avail of it. Following some resistance on my part, I was transferred to another department and had my hours reduced from 70% to 60% of an FTE.” [Public Sector]**

**“I was threatened with being terminated as my manager informed me that if I wasn't sick on his shift there wouldn't be a problem or if I was sick after maternity there would be no mistakes.” [Private Sector]**

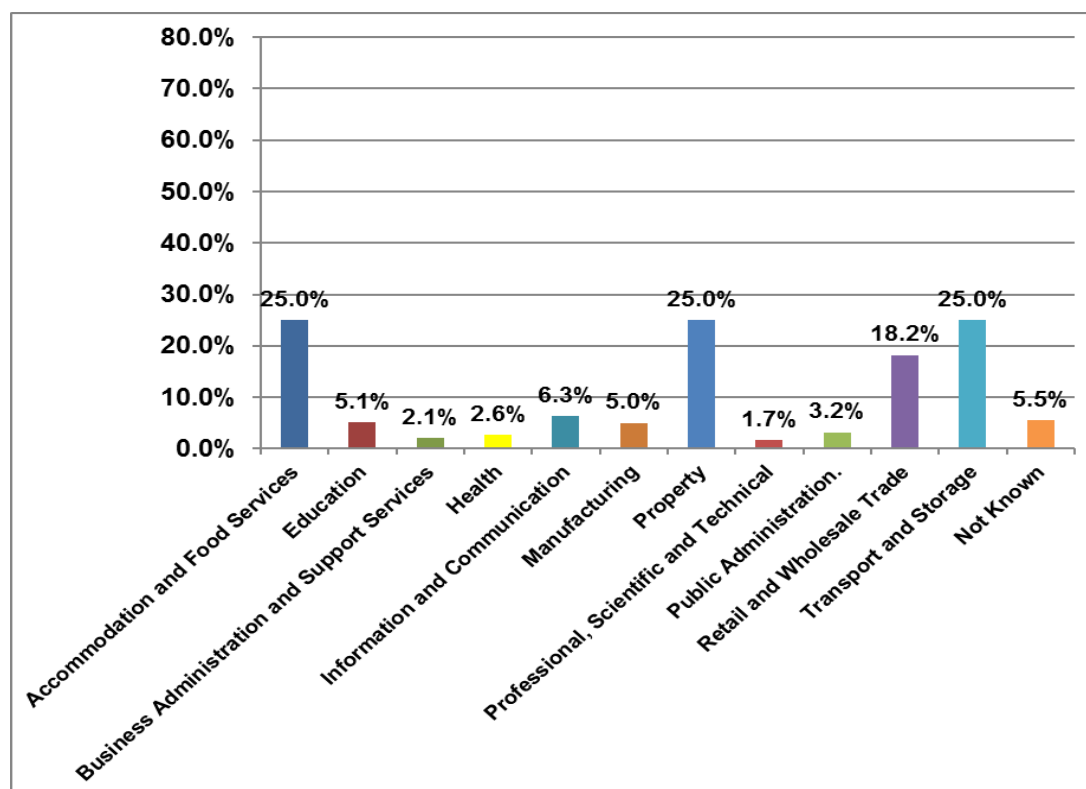
## Unable to take toilet breaks

Treatment	Strongly agree/agree		Strongly disagree/Disagree		Neither agree nor disagree	
	No.	%	No.	%	No.	%
Unable to take toilet breaks as required	45	15.0	206	67.3	55	18.0

In addition, one in six respondents agreed that they were unable to take toilet breaks as required during their pregnancy [15%/N=45 out of 306 respondents]. Overall numbers are small, however, more respondents working in service industries were unable to take toilet breaks when needed, and industries where immediate access to facilities may be difficult, for example, Accommodation and Food Services, Transport and Storage, and Property.

The figure below shows that respondents working in a variety of industry sectors were affected by this. For full details please see Table 33 in Appendix 1.

**Figure 17: Percentage of respondents in each industry sector unable to take toilet breaks as and when required N=45**



## **4.5 The impact of unfair treatment or disadvantage on the personal life and career of respondents**

### **4.5.1 Summary**

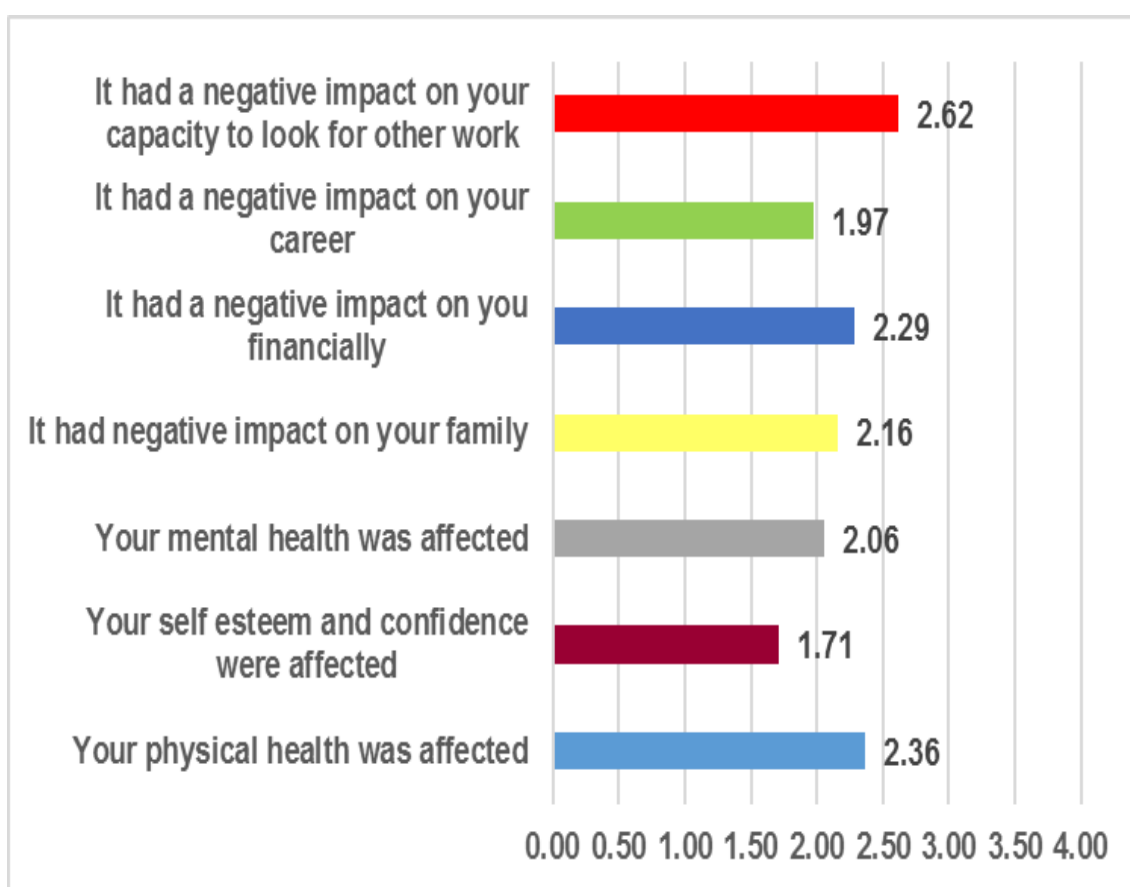
- Respondents were provided with a list of possible impacts on career and personal life and were asked to rate the extent to which they felt their negative employment experiences had impacted on them.
- More respondents agreed than disagreed with all the statements, reflecting the far reaching impact that negative employment experiences have in and beyond the workplace.
- Almost four out of five respondents [77.1% of 293 respondents] agreed that their career had been negatively impacted by their negative employment experiences, for example, having failed to gain promotion or job loss.
- Approximately nine out of ten respondents [88.4% of 293 respondents] agreed that their self-esteem/self-confidence had been affected by their employment experiences, for example by having work responsibilities removed.
- Almost half of the respondents [47.8%] agreed that their capacity to find other work was affected due to lack of self-confidence, dilution of job role or, in some cases, the fact they were pregnant or had child care responsibilities.
- Employment experiences had an impact on personal and family life; mainly due to health issues and negative impact on finances.
- Almost three out of four respondents [73.1%] agreed that their mental health had been negatively affected by their employment experiences; a further two out of five respondents felt that their experiences had impacted on their physical health [40.3%].
- In turn negative impacts on health meant issues failed to be resolved. Respondents were unwilling or unable to take action to deal with their grievances due to poor physical or mental health.
- Three out of five respondents [61.8%] agreed that their finances had been impacted in a negative way.

### 4.5.2 Impacts reported by Respondents

Respondents indicated that negative employment experiences during their pregnancy, maternity leave or on return to work affected them, and those close to them, in a number of ways.

The chart below shows the average rating of respondents for each given impact. A lower average score indicates that a greater number of respondents agree with the statement than disagree. [For full table of rating scores see Table 34 in Appendix 1].

**Figure 18: Average rating of respondents for each impact of unfair treatment [N=293]**



Score: Strongly Agree=1; Agree=2; Neither Agree nor Disagree= 3; Disagree=4; Strongly Disagree=5

## Impact on self-esteem and self confidence

Impact	Percentage of respondents agree	Number of respondents agree	Average rating
Self-esteem and confidence	88.4%	259	1.71

Almost nine out of ten respondents agreed that their employment experiences affected their self-esteem and confidence, with more than half of these respondents in strong agreement.

Respondents reported that in addition to the direct effect of negative or inappropriate comments on their self-esteem and confidence, absence from the workplace on maternity leave in itself affected confidence, particularly for those who would have liked more contact with their workplace.

Respondents also felt self-doubt when they believed that their employers no longer valued them as committed and able employees due to their pregnancy or having taken maternity leave.

Example comments:

**“During my pregnancy, I had absolutely no confidence in my ability to do my job. My sickness record was exemplary, never having had a spell of work off owing to my pregnancy (or any of the previous 3). However, I was constantly dropped off relevant e-mail correspondence, not included in relevant meetings, and was made to feel that I was in some way deficient in my accuracy, understanding and productivity.”**  
[Public Sector]

**“I have a law degree and have always been very confident and capable. My experience with my employer post pregnancy has completely destroyed my confidence and has made me anxious about pursuing a career in future.”** [Public Sector]

**“The sense of being devalued and continually undermined in my work has had the cumulative effect of undermining my confidence, which impacts on my ability to apply for other work. Prior to and since my return from maternity leave I have worked extremely hard for my employer, and it's particularly frustrating that this, I feel, is no longer acknowledged or recognised.”** [Public Sector]

## Impact on career

Impact	Percentage of respondents agree	Number of respondents agree	Average rating
Career	77.1%	226	1.97

Almost four out five respondents agreed that their careers were negatively impacted. This corroborates earlier findings that respondents reported that they missed out on promotions or were sidelined, were denied access to training or found themselves unemployed.

Again, respondents believed that their organisation's policies had negative effects on their career progression opportunities, where they felt that their period of maternity leave disadvantaged them with regard to performance appraisal and subsequent access to promotion opportunities.

Example comment:

**“People on maternity leave (or other forms of leave) were disadvantaged in a recent work assessment process -- they were required to meet a higher average standard of work than those who did not have any periods of leave. For those who do not meet this higher standard -- which they may have met without the leave -- there are knock-on effects for promotion and career advancement. I raised this as a problem during my maternity leave but the policy remains in place.” [Public Sector]**

Many respondents believed that their career was “put on hold”. Some who had lost their jobs reported being unable to find comparable employment, others felt that they had to take a step backwards or downgrade their responsibilities because of the employer's unwillingness to be flexible.

Even those respondents whose employers had approved flexible working hours believed that this came at a price. They believed that being unable to work full time hours, or to work beyond contracted hours, due to family commitments negatively impacted on their careers. It may be the case that an employee working non-traditional hours fails to meet an employer's view of the ideal and committed employee, particularly at senior grades.

Example comments:

**“Although I resigned from my position I found it difficult to find work as new potential employers questioned why I had left a stable job without another to go to. I had a mortgage and bills to pay but felt I had no other option but to leave. In terms of my career I had to take a backward step and take a lower paid job and a lower position to start building my career back up again.” [Public Sector]**

**“I feel less valued as part-time manager following my maternity leave. There are no opportunities to advance my career unless I take on full-time hours. Even when it comes to pay my full-time male colleagues are being advantaged I am being treated less favourably. It has been decided they will have higher rate of pay and part-time staff rate has been reduced for a Saturday.” [Public Sector]**

**“People in my area of work are informally expected to put in extra hours at weekends and after work at times to do writing. As I am now not able to do this as much with looking after my child, I believe that my prospects for career advancement are not as good as I will no longer be able to do this on a regular basis.” [Public Sector]**

**“Generally, feel that my whole career path has been halted and general professional standing has been diminished in eyes of senior management.” [Public Sector]**

**“[My employer] Made my pregnancy stressful. Took away my classes and prevented me from competing in service training for career development as a consequence.” [Public Sector]**

**“I believe having my wedding band on at interviews and being of childbearing age has resulted in me not getting posts within my capabilities. My career feels to be ruined as I can’t actually get a job in my field at present.” [Private Sector]**

**“There is an assumption by senior management that, because you are a working mum and therefore work part-time, you are not interested in furthering your career. The apathy on behalf of senior management towards you as a part-time member of staff in fact is like a self-fulfilling prophecy: because you feel undervalued, you eventually become disinterested in your job.” [Public Sector]**

**“Prior to my pregnancy I had been a committed teacher with no issues or areas for concern. Despite this, I was taken to task on the tiniest of details during my pregnancy .... I felt so undermined in my profession I doubted my capabilities as a new mother...On returning to work I resigned my [senior management] position as I felt I could no longer work alongside my boss at this senior management level.”**  
**[Public Sector]**

## Impact on health

<b>Impact</b>	<b>Percentage of respondents agree</b>	<b>Number of respondents agree</b>	<b>Average rating</b>
<b>Physical health</b>	40.3%	188	2.36
<b>Mental health</b>	73.1%	214	2.06

Respondents agreed that their physical and mental health had been affected. However, the greater impact appears to be on mental health where approximately three out of four respondents agree that their mental health has suffered as a result of their employment experiences. Employment experiences were often described as causing stress and anxiety and negative or inappropriate comments impacted on self-confidence.

Two in five respondents agreed that there had been an impact on their physical health. This was mainly due to the lack of adjustments to their workload or the physical work environment during pregnancy.

Some respondents reported that they had no choice but to take long periods off on sick leave which for some had further repercussions, such as, loss of job. Some respondents blamed treatment by employers for premature births.

In particular, respondents commented that poor physical and/or mental health influenced decisions to take formal action to deal with their grievances and so these remained unresolved.

Example comments:

**“During my pregnancy there were certain members of our team who were unhelpful and nasty - my job involves lifting and carrying objects ... and I had very little help or offers of help from anyone else. Shortly after my son was born I was bombarded with text messages to help with work related issues - I was back in hospital with health issues and the stress of the texts did not help.”** [Public Sector]



**“... When I had gone off to have my second child I was a manager responsible for 10 members of staff, with a significant level of responsibility....I returned from maternity leave to a job at the same grade but with no staff management or other responsibilities. .... I have suffered mental health issues as a result of how I have been treated by work and this has resulted in me having to take time off. I still continue to struggle with and receive treatment for anxiety. Two and a half years after returning from maternity leave I am finally getting some staff management responsibility. My treatment during both my maternity leaves has been appalling to the extent that at times I wished I'd never had children. It's shocking that in this day and age an employer can make their employee feel like that.” [Public Sector]**

**“Mine and baby's well-being not considered. Forced to undertake tasks such as heavy lifting and continuous bending putting my baby at risk. Previous bullying issues had cause depression and these symptoms returned due to treatment during pregnancy.” [Sector not known]**

**“After a number of weeks under extreme stress, dangerously high blood pressure I was signed off for 7 weeks as medically unfit by my GP- if I had been treated differently by my boss I feel I could have remained in employment for the whole time, with a little understanding, perhaps a change in start time, finishing to accommodate the worst periods of sickness. ...My baby was born early at 35 weeks ...I almost completely put this down to the treatment I received at the hands of my boss...” [Public Sector]**

## Impact on family

Impact	Percentage of respondents agree	Number of respondents agree	Average rating
Family	71.0%	208	2.16

Negative employment experiences were also shown to have a wider impact on the respondents' families. Almost three in four respondents agreed that their families had been affected by their employment experiences.

There were many reasons for this: for example, respondents reported negative impacts on health and finances through a loss of work. Some respondents also believed that they were unfairly refused flexible working which impacted on their family.

A number of respondents commented that uncertainty about their future with the employer or the fact that they worked throughout their maternity leave, due either to direct pressure from employers or self-pressure in order to maintain their career paths, had a negative impact on their new family.

Example comments:

**“I was pregnant, started suffering from anxiety attacks and having to go in to hospital to keep an eye on the baby.... I was too pregnant to look for work at that stage (8 months) ... Very high stress levels cause bad mental health, depression, anxiety and tension in my family. ... My average pay used to be £35,000 but I had to take very low paid, by the hour jobs including night work starting when my youngest baby was 6 months old just to get by .... I did a night time and a day job for 7 months (while having a baby and toddler at home). .. I am now gradually working my way back up but it is hard as my recent bout of unemployment and low paid jobs looks bad on my CV..... In addition, childcare costs a fortune and in my current job I've just been told my job is changing to 5 days a week (instead of 4) which means ...more work for less money. The employer doesn't care and just stated 'like I said, it's a five day a week job' and I have no other options so I'll stay. ...”**  
**[Voluntary & Community Sector]**

**“I spent a lot of my maternity leave worried, not knowing if I had a job to go back to or not... I regret spending so much time thinking about my work when I should have been focusing on my new baby.”**  
**[Public Sector]**

## Impact on finances

<b>Impact</b>	<b>Percentage of respondents agree</b>	<b>Number of respondents agree</b>	<b>Average rating</b>
<b>Financial</b>	61.8%	181	2.29

Three out of five respondents agreed that their financial situation suffered because of their employment experiences.

As previously reported some respondents became unemployed and others found that they were not entitled to Statutory Maternity Pay due to reduced working hours. Some respondents stated that they did not receive the pay rise or bonus they expected while others found new employment in lower paid jobs.

Comments made in the survey also indicate that respondents believe that Statutory Maternity Pay is insufficient and compared it negatively to the amount they would have received if they had been on sick absence.

Example comments:

**“I was forced to leave via voluntary redundancy. .... I have recently taken a very part time job (9 hours per week) to help me back to work. I have gone from earning £45,000 per year to £4,000 per year due to how my employer dealt with me and my family.”** [Public Sector]

**“Manager used my pregnancy to change my hours and job role.... Company offers enhanced paternity pay but only statutory maternity pay. Government should stipulate it is in line with company sick pay... Also, SMP fluctuates month to month depending if 4 or 5 Sundays in month... Wasn't informed by employer re pay that I would receive when off on maternity leave and bank holiday entitlements. Was advised any holidays not taken before maternity leave would be lost.”**  
**[Private Sector]**

**“... no company maternity pay on top of SMP. Very hard to manage on SMP, especially with another child already aged 2. This affected my decision to come back to work after 7 months after both periods of maternity. I would have preferred to take longer but was not an option on SMP. Was also told I was not entitled to accumulated statutory holidays...” [Private Sector]**

### **Impact on capacity to look for other work**

<b>Impact</b>	<b>Percentage of respondents agree</b>	<b>Number of respondents agree</b>	<b>Average rating</b>
<b>Capacity to look for other work</b>	47.8%	140	2.62

Almost half of the respondents agreed that their employment experience had negatively impacted on their capacity to look for other work.

The reported negative impact on self-esteem and confidence may explain why some respondents feel that they are unable to look for other work. Respondents also felt that the loss of previously held responsibilities, which they believed was due to their pregnancy or having taken maternity leave, impacted on their future career opportunities. Respondents also commented that they felt unable to gain employment due to their pregnancy as they felt employers would be reluctant to consider them.

Comments made indicated that respondents found that it was difficult to find suitable high level jobs with flexibility to meet their needs as working mothers and that the high cost of childcare was a barrier to finding work, particularly for lower paid employees.

Example comments:

**“I am a teacher on a temporary contract - I was made aware that the post would end when I went off on maternity leave - leaving me jobless instead of being able to come back to work which has affected my confidence and ability to get other jobs too.” [Public Sector]**

**“Made redundant to coincide with what would have been my return to work date. ... The knock to my confidence was a massive blow to my ability to get employment and provide for my family. I found it difficult to find legal assistance and support at a time when everything seemed to have collapsed around me.” [Private Sector]**

**“... When I was 7 months pregnant my contract (full-time) was coming up for renewal and I was told, completely out of the blue, that my contract would not be renewed (despite no issues with my performance and no prior warning) .... When I asked why I had not been informed several months ago that this might happen so I might still have had an opportunity to look for other work I was told he felt it would have been 'inappropriate' and 'not my business'. .... And of course to get my leaving pay I had to sign a contract saying I would never take a case against them in future. About 4 months later a new person was recruited to take over my job (part-time). A few months after that a further person was taken on to cover the other part of my job (part-time again).” [Voluntary and Community Sector]**

## 4.6 Employment Experiences: Other issues

All respondents were asked to indicate what effect their pregnancy or having taken maternity leave would have on future career opportunities; to rate the support they received from their employer during pregnancy, maternity leave and on return to work.

### 4.6.1 Summary

- **Approximately half of the respondents believe that their career opportunities have been negatively affected [49.6% out of 893 respondents]. One in five of these respondents indicated that they believed their career opportunities were a lot worse than before.**
- **Unfair treatment and other factors negatively impacted their careers such as, working reduced hours, organisational policies which create barriers to equality of opportunity for women who have taken maternity leave, and employer attitudes towards working mothers.**
- **Around two out of five respondents believe their career opportunities remain the same as before their pregnancy and/or maternity leave [43.4%]. These respondents generally reported fairly treatment; some had achieved promotion, or were optimistic about their career with a new employer.**
- **More than half of the respondents thought their employer was Very Supportive or Supportive during pregnancy [54.6%/ of 742 respondents]. Employers support was provided through implementation of appropriate policies and procedures, the provision of information about entitlements, compliance with legal obligations and communication with the employee about plans and essential adjustment needs.**
- **One in six respondents did not think their employer supported them enough during their pregnancy [18.0%/ of 742 respondents]; they thought that they were viewed as problematic for the organisation.**
- **Two fifths of respondents rated their employer as Very Supportive or Supportive during their period of maternity leave [41.8% of 615 respondents]. Reasonable contact with their employer was a key element of this support.**

- **One in five respondents believed that they did not receive support from their employer during maternity leave [20% of 615 respondents]. Just one in five respondents were provided with all the information they required while they were on maternity leave [21.2% of 606 respondents].**
- **There is a considerable potential for disconnect from the workplace during maternity leave; the majority of respondents to the online survey opted for a maternity leave period of between 6 months and 1 year [76.5% of 690 respondents. Comments made highlighted the importance of mutually agreeing a “reasonable” level of contact prior to the onset of maternity leave; providing the opportunity to work Keeping in Touch Days and ensuring that managers were accessible to answer queries.**
- **A lack of contact and a lack of opportunity to work Keeping in Touch Days made respondents feel isolated from the workplace and made arranging return to work problematic, adding to difficulties in finding suitable childcare provision.**
- **Half of the respondents believed that they had been shown support on their return to work [51.8% of 475 respondents] where employers implemented family friendly policies and processes to ease respondents back into work and to ensure they received any necessary training on their return.**
- **Just one in six respondents believed that they had not been supported [17.5% /N=83]; They commented that there had been little acknowledgment of them on their return, there had been little or no preparation for their return and they were not assisted to achieve work life balance.**
- **The vast majority of respondents had returned to work or intended to return to work following the birth of their child [91.6% of 736 respondents] and to the same employer [89% of 667 respondents].**
- **Approximately two out of five respondents had changed or intended to change their working pattern on return to work [41.8% of 682 respondents]; with one third [35.5%] reducing their working hours. The main reason given for a change in work pattern was childcare arrangements and the high costs of full time childcare.**
- **Although just 4% [out of 682 respondents] of applications for flexible working had been refused some respondents felt discouraged from making a flexible working application because their employer did not normally**

**approve of flexible working or they thought flexible working would damage their career prospects.**

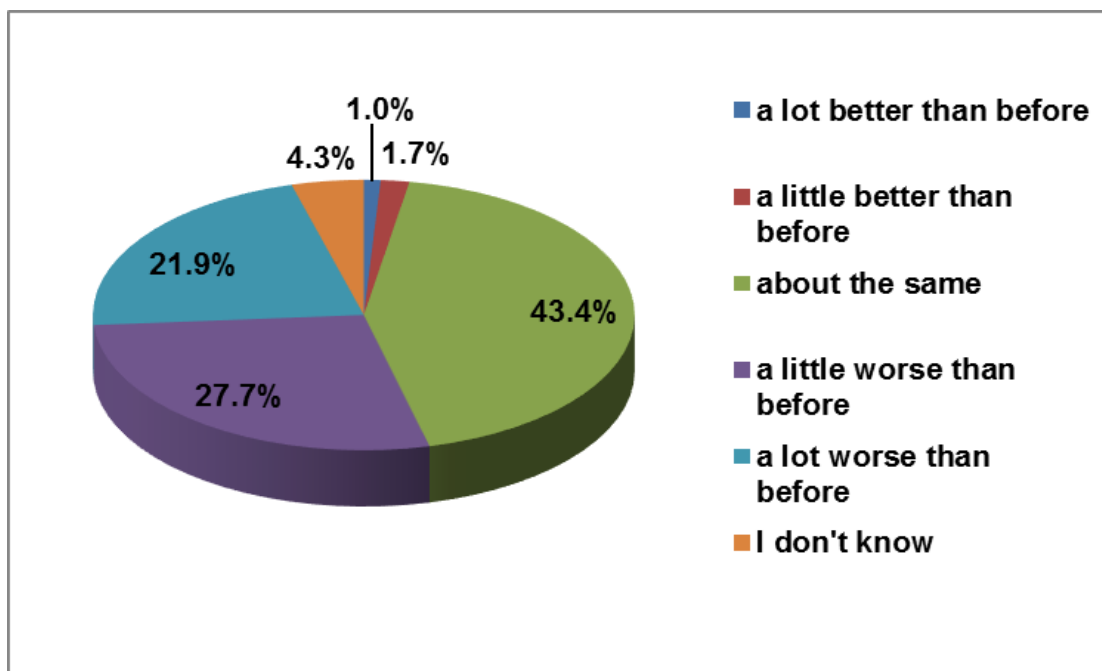
- Four out of five respondents [82.4% of 476] respondents who had returned to work did so to the same or similar job at the same level. Despite this two out of five respondents [41.2% of 451 respondents] reported negative differences in their job, which were potentially detrimental to advancing their career.**
- Some respondents believe their careers have been put “on hold” as consequence of being absent from the workplace, of reducing their working hours or because they are seen as having other priorities.**



## 4.6.2 The effect of motherhood on career opportunities

The chart below shows how respondents believe their pregnancy or maternity leave has affected their career opportunities.

**Figure 19: Perceived effect of pregnancy and maternity leave on career opportunities. N=893**



Approximately two fifths of respondents believed that motherhood has had little or no effect on their career opportunities [43.4%/N=388 out of 893 respondents].

A small number of respondents [N=24] perceived that their career opportunities have improved. In general, these respondents either believe that their employer has treated them fairly or they believe that their opportunities are improved with their new employer.

However, approximately one in two respondents believe that their pregnancy or maternity leave has negatively affected their career opportunities [49.6%/ N= 443 out of 893 respondents]; with more than one in five respondents believing them to be a lot worse than before [21.9%/ 196 out of 893 respondents]

## **Respondents who believed their career opportunities were worse than before their pregnancy or maternity leave**

Almost half of the respondents were pessimistic about their future career opportunities [49.6%/443 out of 893 respondents]. This assessment may be based largely on employment experiences of unfair treatment or disadvantage. More than half of these respondents believed they had been treated unfairly [58.7%/N=260 out of 443 respondents].

As detailed above, respondents reported comments and actions which reflected negative attitudes towards pregnant employees and working mothers. Some comments directly linked their pregnancy to a halted career reflecting the view that working mothers are less committed to their career than other employees. Other treatment reported was clearly career limiting:

- almost half of these respondents had failed to gain a promotion they felt they deserved or felt sidelined [46.8%/N=119 out 260 respondents];
- approximately one in three of these respondents were denied training; and
- one in three respondents believed they had been unfairly criticised or disciplined about their work performance [32.7%/N= 85 out 260 respondents].
- respondents who had lost their job were not optimistic about future career opportunities [8.5%/N=22 out of 260 respondents].

Example comments:

**“Given the cutbacks in the public sector I was made to feel like “well we managed without you for a year, so we can probably do without you from here on in”. I am under pressure at present to stop my post being declared “surplus”. I feel very vulnerable.” [Public Sector]**

**“Excluded from career development opportunities e.g. leading projects.” [Public Sector]**

**“I was not allowed to progress in a recruitment competition.” [Public sector]**

**“My request for flexible working hours resulted in a lower title and pay.” [Private Sector]**

**“My Patients were given to other staff, making me unable to earn a similar wage than before my maternity.” [Public Sector]**

**“I am now in a role that is a demotion (though I have retained my salary) and feel constantly excluded from my team.”  
[Voluntary and Community Sector]**

**“[I] Did not receive new job training that was compulsory for all staff to do job as part time workers could not be facilitated.” [Public Sector]**

**“I was forced to leave via 'voluntary redundancy scheme' when the case was settled at Tribunal. They made it clear they did not want someone like me who made a complaint to work for them.” [Public Sector]**

It was not just respondents who reported negative employment experiences who were pessimistic about their future career opportunities. Two in five of these respondents believed that they had been treated fairly or were unsure about their treatment [41.3%/N=183 out of 443 respondents].

Comments made indicate that other factors, such as reduced working hours and the application of certain workplace policies, were perceived to be career limiting and to create barriers to equality of opportunity. Such policies were viewed as curtailing promotion opportunities and limiting access to essential training and/or to jobs with higher levels of responsibility and status.

Some respondents also indicate that even though there may be nothing tangible they have sensed a change in attitude towards them which they believed was due to having taken time out of the workplace and/or having caring responsibilities, which made them feel vulnerable about their future career.

Example comments from respondents who believed they had not been treated unfairly or disadvantaged:

**“Formally, I was treated very well .... But there are changes that are hard to quantify: people treat you as if you are less interested in work; you are asked to participate in fewer projects and social events; there is no effort to help you regain momentum that is lost by being on leave.”  
[Public Sector]**

**“As I’m only back I’m missing out on my appraisal which is worth 20% towards [my employer’s] new training scheme, therefore I will not be part of the top 20% of deputy store managers that will take part in training with the store managers. I feel they should take the 20% from my previous appraisals, I shouldn’t lose out due to being on maternity”.**  
**[Private Sector]**

**“Contract came to an end just after I found out I was pregnant. Applied for numerous jobs I was adequately and / or over qualified for but I feel due to having a bump I was not employed.”** [Public Sector]

**“I don't think I was treated badly but having been away on maternity I think I may have missed out on opportunities within my department that were fulfilled by others. .... I have come to realise that taking a longer maternity leave will potentially impact on how my contribution to the department is viewed which will ultimately affect my career progression. For example, promotion is based on having to achieve particular outcomes, but no consideration is given to the reduced time (taking account of maternity leaves) you have to achieve these outcomes.”**  
**[Public Sector]**

Some respondents were very aware of the potential negative impact of a prolonged period away from work and felt pressure to keep up to date with their work during their maternity leave to try to minimize the impact on future career opportunities.

Example comments:

**“I was treated very well during my pregnancy and maternity leave. I did, however, do quite a lot of work while I was on maternity leave since I felt I would be disadvantaged if I did not, when I eventually returned to work.”** [Public Sector]

**“For all my maternity leaves I was required to work on aspects of my job during my maternity leave. This was particularly bad for my first and 2nd child. I knew if I didn't this would disadvantage my career.”**  
**[Public Sector]**

## **Respondents who believed their career opportunities are unchanged or improved [N=412]**

Just 24 respondents believe that their career opportunities will improve. The majority of these respondents had already returned to work following the birth of their child [58%/N=14 out of 24 respondents].

More than two fifths of the respondents believe that their career opportunities will be unaffected by their pregnancy or having taken maternity leave [43.4%/N=388 out of 893 respondents].

The vast majority of these respondents believe that they have been treated fairly [77%/N=317 out of 412 respondents] meaning that a small number of respondents are optimistic about their future opportunities despite negative employment experiences. Approximately one in eleven of these respondents had changed their employer and their rating was based on their new employment [9%/N=36 out of 412 respondents].

Respondents' comments suggest that their employer had a positive attitude towards flexible working, was family friendly and had good policies in place making them feel valued and accommodated.

Example comments:

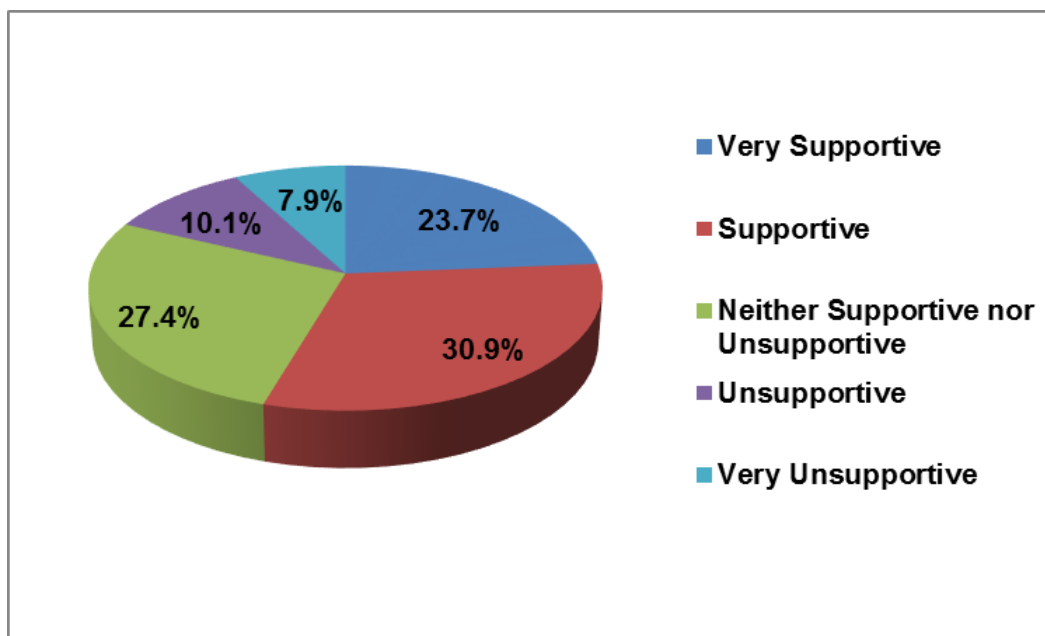
**“Treated just the same as anyone else, in terms of opportunities, I had just got an acting up and left knowing I would come back to the post, when off on maternity leave several posts at that grade were advertised as secondments, I was successful at interview and came back to my post after maternity leave.... never felt at any time I was disadvantaged.”**  
**[Public Sector]**

**“The company encouraged me to use take KIT days but I didn't feel I had too. It was very flexible and allowed me to remain engaged in projects I had been working on before going on maternity.... This made me feel welcome, valued and respected.”** [Voluntary and Community Sector]

**“I was treated very fairly, congratulated and kept informed throughout my period of maternity leave. During that time, I also attended an interview for promotion and was successful. I have been granted flexible working arrangements as well. This did not hinder my promotion; my workplace did all they could to facilitate it.”**  
**[Public Sector]**

### 4.6.3 Employer support for pregnant employees

Figure 20: Respondents' rating of employer supportiveness during pregnancy [N=742]



The chart above shows that more than half of the respondents thought that they had been supported by their employer throughout their pregnancy [54.6%/N=405 out of 742 respondents].

Respondents who indicated that they had been treated fairly were more likely to rate their employer as being Very Supportive or Supportive [80.4%/n=296 out of 368 respondents].

However, approximately one in four respondents who believed that they had been treated unfairly also rated their employer as Very Supportive or Supportive [23.8%/N=62 out of 260 respondents]. The fact that respondents differentiated between the way various levels of management acted, may in part, explain such ratings.

Example comments:

**“It depends on who you count as supportive ...” [Public Sector]**

**“The organisation as a whole was supportive, however my direct supervisor was not supportive ...” [Public Sector]**

**“My immediate line management have been supportive, but it’s generally felt that senior staff find this to be a nuisance because of work cover issues.”  
[Public Sector]**

## **Supportive employers**

Comments about supportive employers reflect the good practices identified by respondents who believe they have been treated fairly. They report that their employers:

- had shown understanding and concern
- discussed their needs and plans
- carried out a Health and Safety risk assessment and made the necessary adjustments
- provided correct and timely information about entitlements
- were flexible with working arrangements when necessary
- had appropriate procedures and policies in place

Example comments:

**“Supervisor has been great at keeping me informed of relevant details. Plenty of information available on organisation’s website re: maternity leave and obligations etc.” [Public Sector]**

**“They were very understanding and accommodating. They asked me what suited me and worked around that.” [Private Sector]**

**“Always asked how I was doing, had risk assessment, personnel explained how leave etc. would work, how I could take my maternity leave, keep in touch days etc. manager ensured good working environment, and if I felt sick or was off sick this was in no way held against me; in fact, my employers are very supportive/caring.”  
[Public Sector]**

**“My employer was supportive during my pregnancy I was given time to attend ante- natal appointments...” [Public Sector]**

**“Clear policies and protocols in place for pregnant workers and for maternity leave.” [Public Sector]**

**“I am currently 6 months pregnant and have found my line manager and work colleagues to be very helpful and understanding. My maternity leave has been sorted out very effectively. I was off work for the first 14 weeks of my pregnancy due to Hyperemesis and my line manager was great. At no point did I feel left out or discriminated against.”**  
**[Public Sector]**

**“My employer was always understanding of my needs and made every effort to accommodate me, either working from home or offering me a taxi to pick me up or leave me to the train station. I had a specially supplied chair delivered to my door to allow me to work in comfort from home.”** **[Public Sector]**

### **Neither supportive nor unsupportive employers**

Approximately one quarter of the respondents thought that their employer was neither supportive nor unsupportive [27.4%/N= 204 out of 742 respondents]. These respondents generally felt that their employer could have been more supportive.

Comments made by respondents indicate that they rated their employer in this way because:

- their employer did not treat them differently
- they feel their employer lacked interest or concern
- their employer abided by the legislation but went no further
- some aspects of the employer’s actions were supportive while others were not.

Example Comments:

**“Don’t feel that I am treated any differently which may be both positive and negative.”** **[Public Sector]**

**“Haven’t really got involved. Not really interested.”** **[Public Sector]**

**“Manager was supportive with information etc. but unsupportive and inflexible when changing duties due to pregnancy complication of back pain.”** **[Public Sector]**



**“Supportive due to legislative compliance and employer’s work-life balance policy; line manager was not receptive of particular changes to working practice, such as working from home, however.” [Public Sector]**

## **Unsupportive employers**

Around one sixth of respondents rated their employer as being Very Unsupportive or Unsupportive [18%/N= 134 out of 742 respondents].

Comments from these respondents described employers in a similar way as respondents who were non-committal about the support shown by the employer in that they were being:

- “disinterested” and uncaring
- showed a lack of consideration of their health and safety.

However, these employers were described as being actively unsupportive in that they:

- viewed pregnancy as an “inconvenience”
- ensured respondents had no opportunities for career progression.

Respondents who experienced a lack of support may also have experienced loss of position in the organisation, a lack of investment in their career development and in some cases job loss. A small number of respondents commented that they were reluctant to let their employer know about their current pregnancy because of their employer’s treatment of other pregnant employees or their own past experiences. This situation is not only bad for the individual, having the potential to put their health at risk, but it is bad for the organisation as it prevents planning ahead for the maternity leave period.

Example comments:

**“No assessment carried out to determine if my work area is suitable. Have been slow to respond to my queries re maternity salary. General disinterest re: pregnancy and health issues.” [Public Sector]**

**“Employer not currently aware of this pregnancy due to increased pressure on another member of staff in recent months. Job involves long periods of travel, long periods of lone working and this is not supported in an acceptable way, without the employee facing excessive financial implications, in what is a very expensive time.” [Public Sector]**

**“My manager has made life difficult, held me back from training and progression, allowed my role to diminish to a very basic role, refused my annual pay increase, performed a very unfair PDP not adhering to company policy, caused issue over maternity appointments, refused me time to get involved in projects that could gain me experience.”  
[Private Sector]**

**“Towards the end of my pregnancy I used some of my annual leave to take one day a week off as I was travelling 80 miles a day and we were experiencing a heatwave, so I found it very tough. My employer complained about this. He complained about how much leave I was taking, numerous times commenting that I would 'be bored' while I was off.” [Private Sector]**

**“Repeatedly told how much maternity leave cost, rude comments about my body. Pressured to take less leave and return early. Pressured to return part time because of cost. Post not covered so returned to a back log of work.” [Voluntary and Community Sector]**

**“My employer offered little guidance, support or understanding throughout my early stages of pregnancy or my miscarriage.”  
[Public Sector]**

**“I work in a male dominated discipline where pregnancy is viewed as a waste of staff resources, a disruption to the normal schedule and a self-indulgent career break. ...” [Public Sector]**

**“No adaptation of workload, no effort to reduce stress, expectation to still work lots of overtime, no care that I felt physically and emotionally awful in first trimester. Ultimately ended with Friday afternoon meeting where I was told there was no job for me at 5 months pregnant.”  
[Private Sector]**

**“He sidelined me and reduced my workload. It got to a point where he never spoke to me nor replied to my emails.” [Private Sector]**

#### 4.6.4 Maternity Leave and employer support for employees on Maternity Leave

##### Length of Maternity Leave

Table 3: Maternity leave taken or to be taken.

Length of maternity leave	Percentage of respondents	Number of respondents
Less than 6 months	13.8%	95
Between 6 months and 1 year	76.5%	528
More than 1 year	8.4%	58
<b>Total</b>		<b>690</b>
<b>Not sure [pregnant women and those on maternity leave only N=211]</b>	4.3%	9

The vast majority of respondents intended to take or took between 6 months and 1 year away from the workplace for their maternity leave. This was the case regardless of employment sector and/or size or the organisation worked for.

Approximately one in eight respondents intended to take or took a maternity leave of less than 6 months and one in twelve respondents more than one year away from the workplace. Proportionately more respondents working for the Voluntary and Community Sector took a maternity leave of less than 6 months compared to those working in the Private Sector or Public Sector.<sup>43</sup>

No respondent working for micro employers [1 to 4 employees] opted to be away from the workplace for more than one year perhaps reflecting the difficulties faced by small businesses in replacing employees on maternity leave.

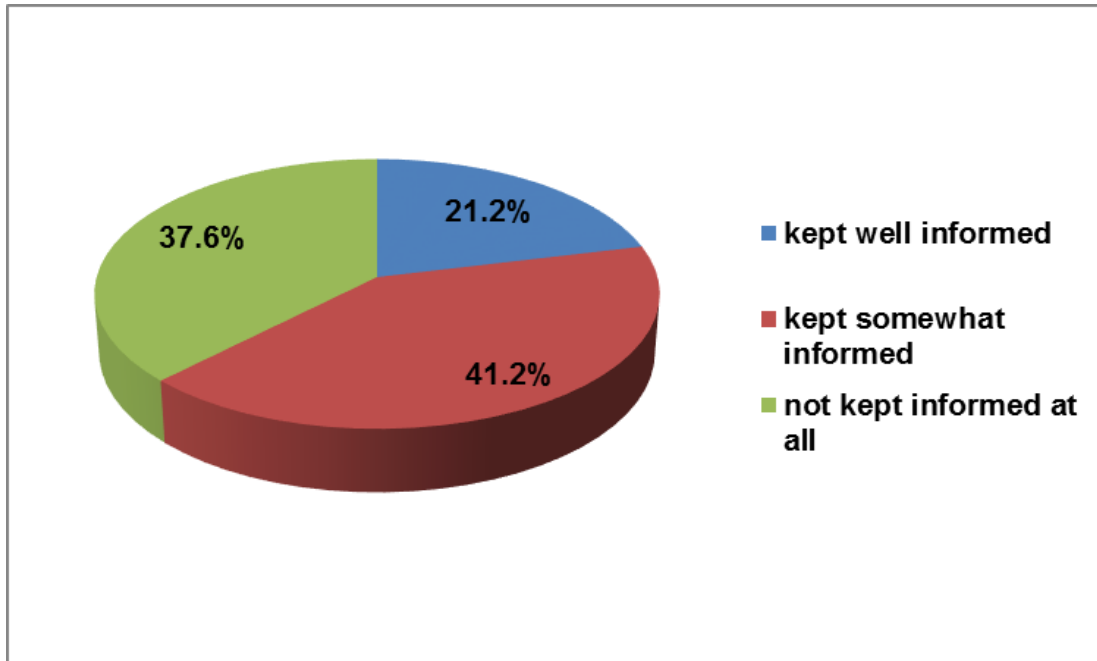
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<sup>43</sup> Voluntary Sector 22.6%/N=14 out of 60 respondents; Private Sector 7.2%/N=10 out of 145 respondents and Public Sector 8.0%/N=43 out of 549 respondents.

## Provision of information to employees on maternity leave

The chart below shows the percentage of respondents who believed that employers kept them well or somewhat informed during maternity leave of changes and opportunities which affected them, or not informed at all.

**Figure 21: Provision of information during maternity leave N=606**



The provision of information during maternity leave is not only necessary to ensure that mothers are afforded equal opportunity to apply for promotions but respondents said it was vital for a smooth transition back to work. However, just one in five respondents felt that their employer had ensured that they were provided with all the information they needed while they were away from the workplace [21.2%/N=128 out of 606 respondents]. These respondents commented that they had agreed with their employer what information they wanted during maternity leave and how they wanted the information to be provided.

The vast majority of respondents indicated that they would have liked to have received more information from their employer or that they were not kept informed at all [78.8%/N=478 out of 606 respondents].

For some respondents a lack of information resulted in missing out on career development opportunities or promotions.

Respondents who were aware of major changes happening in their workplace through informal contact with colleagues said they felt “vulnerable” when they received no formal updates from their employer; particularly when changes were made to their job role without consultation. In such circumstances respondents felt returning to work was stressful and reported a negative impact on self-confidence or self-esteem.

Example comments:

**“We worked together to put systems in place before I left and these were followed.... “I was kept informed via email but never under pressure to reply.” [Voluntary and Community Sector]**

**“I am kept informed of all changes going on and my employer is in contact to ensure my transition back to work is smooth.” [Public Sector]**

**“I think that they struck a good balance between keeping me informed and updated but not encroaching into my period of leave with unwanted communication. We established an agreement before I went off about how he would communicate important information to me (email only, no phone calls to me but I was obviously welcome to phone him at any time etc.) ...” [Voluntary and Community Sector]**

**“I was not made aware of career progression opportunities and only found out through my friends.” [Public Sector]**

**“They have failed to tell me about promotions.” [Public Sector]**

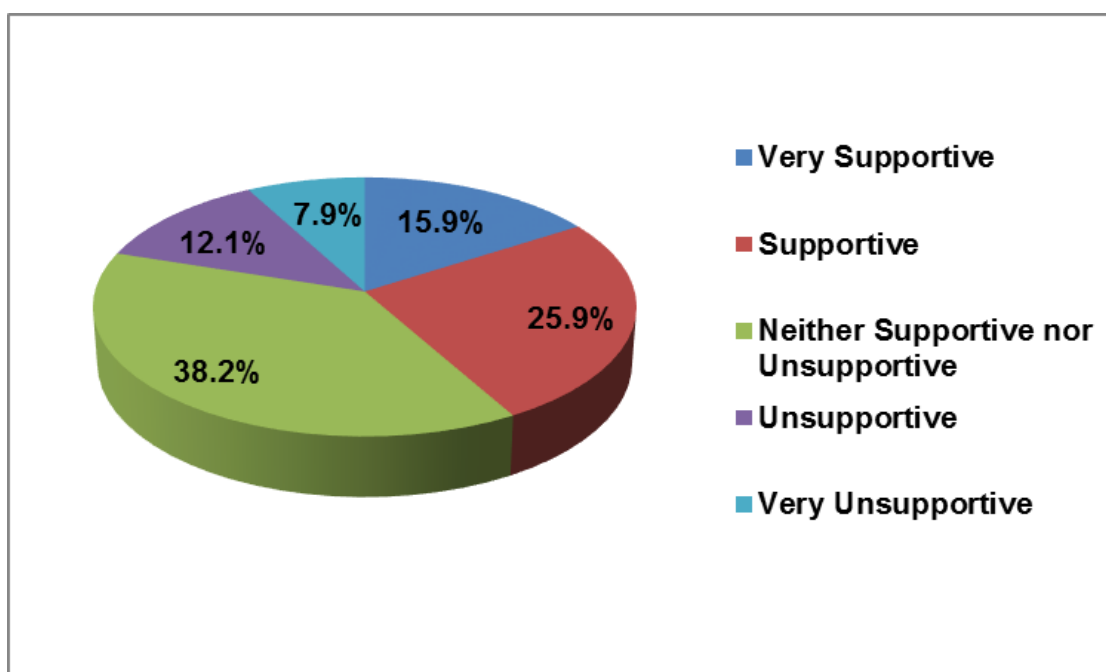
**“They do not inform me of goings on within the company including job opportunities and appraisal interviews to discuss bonuses etc.” [Private Sector]**

**“...important correspondence from my professional body was not sent to me with the result that I had to ask my professional body to accept late application for my practising certificate, without which I could not do my job.” [Public Sector]**

## Support shown by employers during Maternity Leave

The chart below shows the percentage of respondents who felt they were supported or not supported during their maternity leave.

**Figure 21: Respondents' rating of employer supportiveness during maternity leave N=615**



## Supportive employers: the importance of contact during maternity leave

Respondents' rating of employer supportiveness during maternity leave centred around the level of contact with and information provided by the employer. A reasonable level of contact with their employer was an important connection to the workplace during their absence.

Factors which respondents believed constituted supportiveness during maternity leave and made them feel valued as employees were:

- reasonable contact
- the provision of information about career opportunities and changes affecting them directly

- the opportunity to work Keeping in Touch {KIT} Days
- having the opportunity to participate in staff training during the maternity leave period;
- availability of management and Human Resources departments to answer any queries.

However, what constitutes a “reasonable” level of contact is subjective. Some respondents welcomed regular contact while others preferred less contact or contact by email only. An employer should ensure that employees on maternity leave are advised of career opportunities, however, some women felt they were “pestered” or that their employers were “intrusive”.

Keeping in Touch Days were generally viewed as supportive and particularly useful for employees who were away from the workplace for a long time or whose workplace had undergone major changes during their period of leave. Not all respondents were encouraged to use KIT days, however, and some were advised that the employer did not have a KIT day policy.

The necessity of agreeing the expectations of both parties with regard to contact before the onset of maternity leave is highlighted by comments from respondents who felt supported.

Example comments:

**“I think that they struck a good balance between keeping me informed and updated but not encroaching into my period of leave with unwanted communication. We established an agreement before I went off about how he would communicate important information to me (email only, no phone calls to me but I was obviously welcome to phone him at any time etc.) ...” [Voluntary and Community Sector]**

**“I was able to ring when I needed advice on the maternity leave and on returning to work. I always felt my team leader was easy to reach and talk to even though I was not actually working at the time which made me feel still part of the team.” [Public Sector]**

**“I was kept informed via email but never under pressure to reply. I used Keep in Touch days to keep in touch, and they were flexible about these days.” [Voluntary and Community]**

## Neither supportive nor unsupportive employers

Respondents who rated their employer as neither supportive nor unsupportive believed that although their employer met legal obligations regarding provision of information there was a lack of interest in them now that they were no longer in the workplace. These respondents would have preferred greater contact with the employer.

Example comments:

**“I feel that when I was out on Maternity Leave it felt like, when you’re out on Maternity Leave they leave you to it.” [Private Sector]**

**“You never hear from them. You just know your start back date and you arrive to work with a welcome back greeting and that’s it. It feels so cold.” [Public Sector]**

**“They didn’t do anything over and above telling me what I needed to know.” [Private Sector]**

## Unsupportive employers

A lack of support from employers during maternity leave meant different things to the one in five respondents who rated their employer as unsupportive. Depending on their viewpoint respondents felt either “isolated” and “ignored”, or “harassed” and “threatened” during maternity leave.

In general respondents felt unsupportive when employers:

- failed to provide necessary information
- failed to maintain reasonable contact
- were not available to answer queries
- did not offer Keeping in Touch Days

Some respondents felt “pressurised” into coming back to work earlier than planned or to carry out work during their leave; others felt “irrelevant” or “isolated” and “forgotten about” due to the lack of contact from their employer.



Respondents highlighted the inaccessibility of their employers or line managers to answer queries; particularly stressful for those wishing to arrange return to work. This was especially difficult for respondents who were awaiting approval of a flexible working request making and increased difficulties in arranging suitable childcare provision. In some cases, changes to line management during maternity leave was a problem where the new manager was unfamiliar and any previous contact from management was not maintained.

Again this highlights the need for planning for maternity leave and the necessity of relevant policies and protocol for employees and managers to follow.

Example comments:

**“Shortly after my son was born I was bombarded with text messages to help with work related issues - I was back in hospital with health issues and the stress of the texts did not help.” [Private Sector]**

**“I was not contacted during maternity leave. I was not acknowledged on maternity leave. I found maternity leave isolated me from the workplace.” [Public Sector]**

**“I was continually threatened that if I didn't come back quickly enough from maternity that they would give my job to the person covering my job. I felt very vulnerable whilst on maternity leave.” [Public Sector]**

**“Line management responsibility for me changed while I was on maternity. The new line manager had no contact with me whatsoever. I was not even informed who it was. And requests for types of contact were clearly ignored - whether there was no handover of information from previous line manager to new line manager or not I am not sure. I was very anxious leading up to my return to work as I became aware of changes that had occurred to my line manager and my role and this caused me considerable stress.” [Public Sector]**

**“My manager made it very difficult for me to contact her while I was on maternity leave. I contacted her 4 weeks prior to my return to work from maternity to discuss my hours. I did not hear from her until the day before I was due to return to work which she informed me that she could not assist me with my flexible working request. I had tried to contact her numerous times within that 4 weeks as I was trying to sort out child care and I ended up losing out in places for my son due to her lack of communication.” [Private Sector]**

Respondents stated that a lack of information during maternity leave also impeded their career progression opportunities particularly where they were not informed of promotion opportunities.

**“I was not made aware of career progression opportunities and only found out through friends.” [Public Sector]**

**“The Keeping in Touch policy was not applied and important correspondence from my professional body was not sent on to me with the result that I had to ask my professional body to accept a late application for my practising certificate, without which I could not do my job.” [Public Sector]**

## 4.6.5 Return to Work and Employer Support on Return to Work

### Return to work

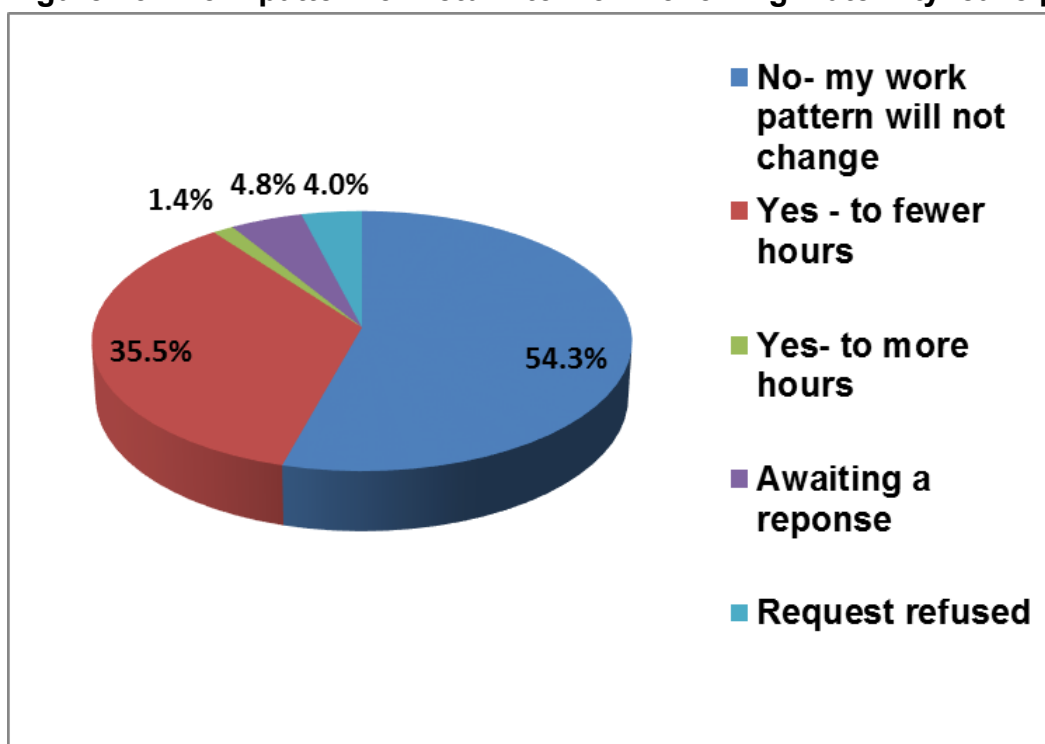
Nine out of ten respondents had returned to work or intended to return to work following the birth of their child [91.6%/N=674 out of 736 respondents] and a similar proportion returned to or intended to return to work for the same employer [89%/N=594 out of 667].<sup>44</sup>

The majority of respondents who had returned to work did not change their employment contract [88.8%/N=421 out of 474 respondents].

### Changing working pattern on return to work

The chart below shows the percentage distribution of respondents who changed or will change their work pattern on return to work following maternity leave and the change made.

**Figure 23: Work pattern on return to work following maternity leave [N=682]**



<sup>44</sup> Tables 19 and 20 in Appendix 1

Over half of the respondents did not/ did not intend to change their work pattern on return to work [54.3%/N=370 out of 682 respondents]. Some respondents indicated that they had previously changed their working pattern following the birth of older children; while others were able to work a phased return for a period of time using annual leave which met their immediate needs.

Those respondents who have changed their working pattern indicate that they have availed of a range of changes to working patterns such as:

- compressed hours,
- job sharing,
- working fewer hours each day,
- working fewer days per week, and
- having flexibility in start and finishing times.

Although, a reduction in hours was requested by, or intended, by more than one third of the women [35.5%/N=242 out of 682 respondents], some of the respondents commented that they would like to have more flexibility in their start and finish times to fit around childcare arrangements.

The main reason for requesting a change in working pattern was childcare arrangements and a reduction in hours was, for some, a result of inability to meet the costs of full time childcare.

Example comments:

**“Whether I change my work pattern or not will depend on what childcare arrangements I can afford. Ideally I would like to return to work full-time but this may not be affordable so I may have to apply for part-time hours or leave work all together which would not be ideal.” [Private Sector]**

**“I have asked if I can finish at 5.30pm instead of 6.00pm due to child care arrangements.” [Private Sector]**

Ten women indicated that they worked or would be working more hours on their return to work. For some this meant a return to full time hours and for some this meant a change of hours due to a change of employer or job role.

Example comments:

**“Applying for different position in a new company with more hours ...” [Private Sector]**

**“Had to take night and day job to keep going.”  
[Voluntary and Community Sector]**

The majority of respondents had their request for a change in hours granted. One in twenty-five respondents indicated that their request for a change in working pattern had been refused [4.0%/N = 27 out of 682 respondents]. Refusal was not limited to one particular employment sector and was across organisations of all sizes.

Some respondents stated that they did not approach their employer with a flexible working request believing that there would be no flexibility and preferred to look for a family friendly employer. A lack of flexibility in their employment and a perception that the employer would not be family friendly were cited as key reasons for leaving an employer.

However, some respondents felt discouraged from making an application in the first instance because of the consequences they believed it would have on their career. They believed that their employer would not accommodate flexibility in their job role.

Example comments:

**“I feel anxious about requesting flexible working due to the fact that I am an assistant manager. I feel that my employer would not take my request in to consideration due to my job role. I do not feel there is enough information in order for me to request flexible working and feel I will be asked to step down from my position if I want to work reduced hours.”  
[Public Sector]**

**“I attempted to reduce my hours but I was told my application would probably be refused - in the end I didn't make a formal application...”  
[Public Sector]**

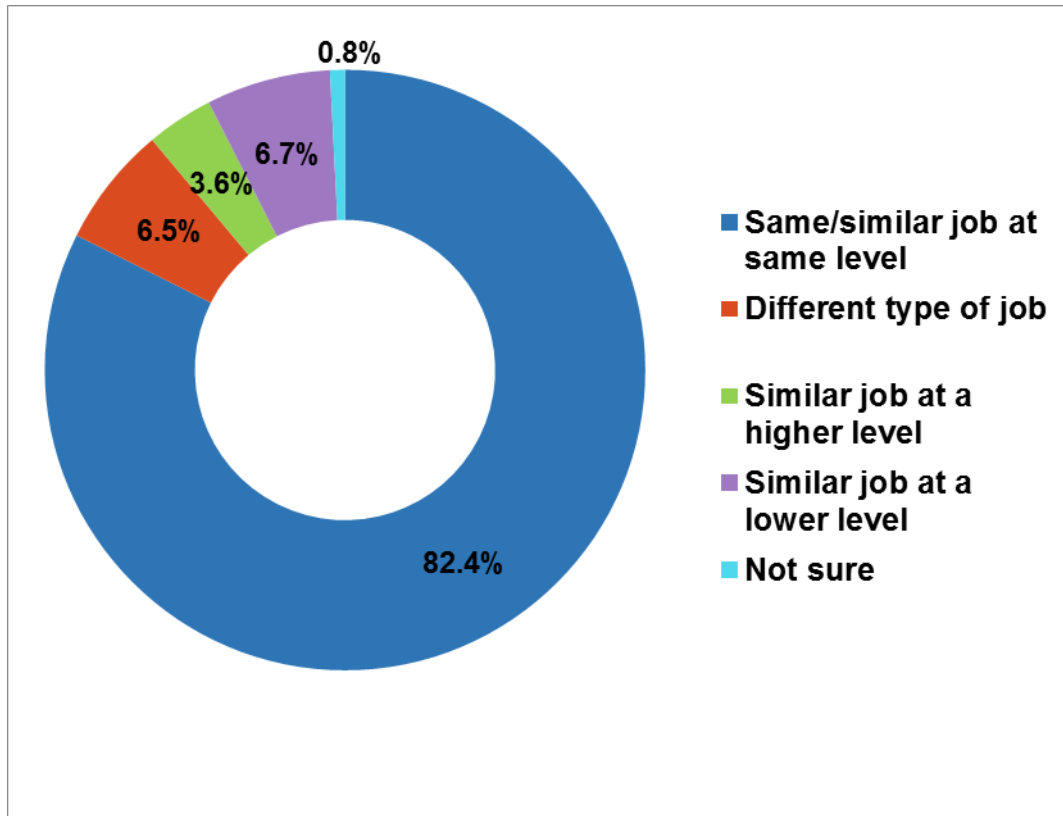
**“I was not able to return to my employer as they would not accommodate part-time working and I could not afford full time childcare for two children under school age.” [Private Sector]**

**“I did not get the promotion I applied for and so decided to look for new employment while on maternity leave. I also needed work that was more stable, working hours that were more suitable to family life and better paid.” [Private Sector]**

## Similarities in job following return from maternity leave

The chart below shows the percentage of respondents who had returned to the same/similar or a different job.

**Figure 24: Job returned to following maternity leave [N=476]**



Approximately four out of five respondents who had returned to work did so to a similar job at the same level [N=392 out of 476 respondents]. One in fifteen respondents returned to lower level positions, [N=32]; a similar number returned to a completely different job [N=31]. Fewer respondents returned to similar jobs at a higher level [N=17].

Respondents who were on maternity leave or who were pregnant were also asked about the type of job to which they intend to return. At these early stages, although a higher proportion of respondents were unsure, the majority of respondents expected to return to the same or similar job.

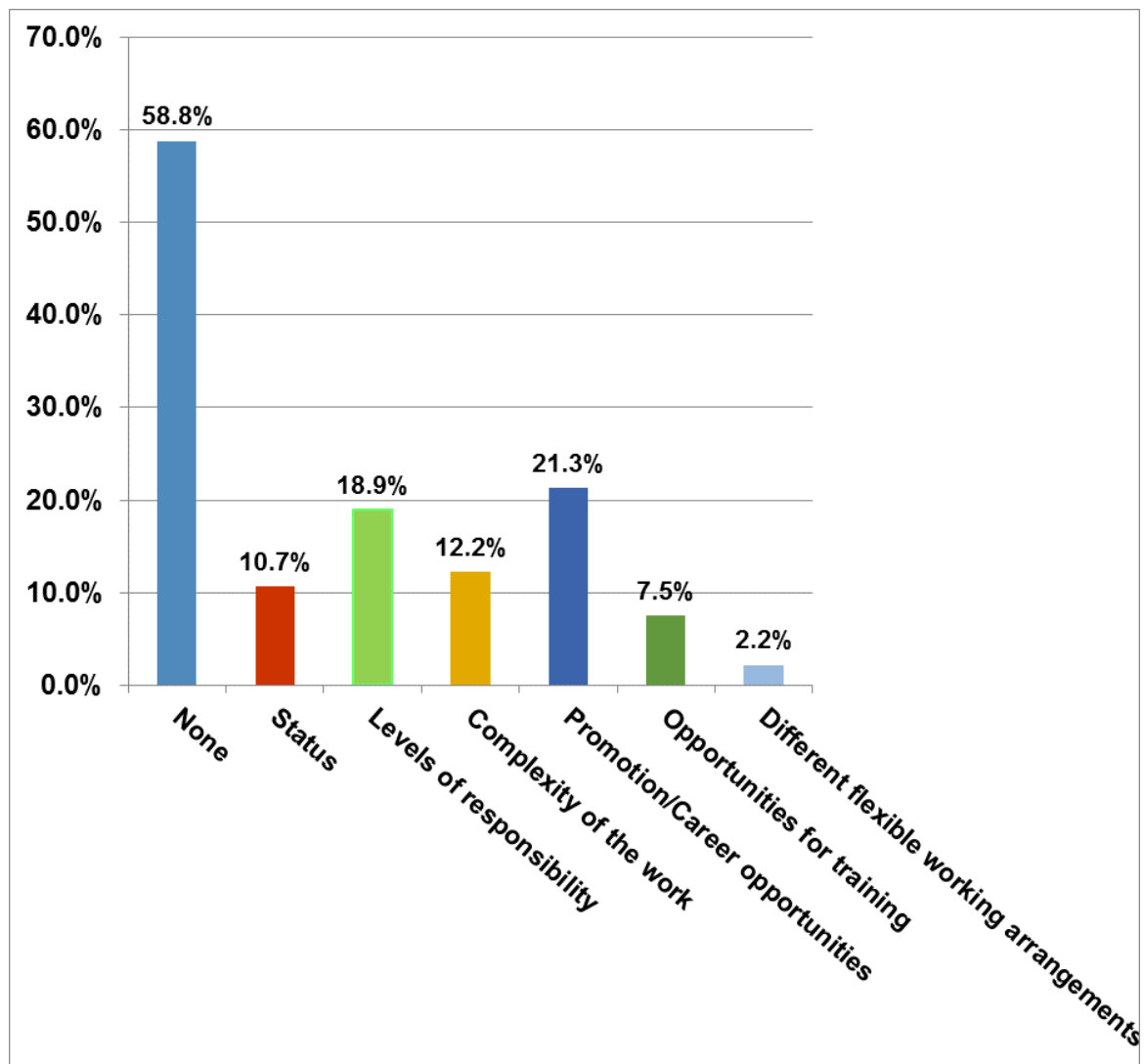
Despite a majority of respondents returning to the same or similar job at the same level, two out five respondents believed that there were negative differences in the job to which they returned [41.2%/N=186 out of 451 respondents].

### Negative differences in job following return from maternity leave [N=452]

The chart below shows the percentage of respondents identifying negative differences in the job to which they returned following maternity leave.

Respondents who had returned to work following the birth of their child were asked to identify, from a given list, specific types of negative differences in the job on return to work. Most respondents identified more than one aspect which they felt was unfavourable.

**Figure 25: Return to Work: Negative differences identified [N=452]**



For the two in five respondents, who believed that they do experience negative differences, the most commonly reported differences are their opportunities to advance their careers and differences to the levels of responsibility of their job. Although this figure only reflects the views of respondents who have already

returned to work, it coincides with the negative views of future career opportunities held by almost half of all respondents.

More than half of the respondents who identified negative differences had not changed their working pattern. However, for some, a reduction of working hours was seen as the reason for negative differences such as a lack of opportunities to advance career, lack of opportunity for training and a reduction in levels of responsibility.

The negative differences reported in some cases reflect the types of jobs available on part time working hours. In other cases, where respondents have returned to the same job but with less status, responsibilities or access to career opportunities they perceived the negative differences to reflect a change in attitude towards them and their ability to do their jobs.

Example comments:

**“New job extremely low paid; less responsibility; less interesting; no chance for promotions and limited training; terrible hours.”  
[Voluntary and Community Sector]**

**“Much lower paid job but I wanted a part time role. Very very difficult to find a professional job that is part time. Very very few are advertised!!!”  
[Private Sector to Public Sector]**

**“I went from being the lead teacher/head of department, for 9 years, to being on an equal level to the other teacher.” [Public Sector]**

**“I find it harder to get training or advance my career as I work part time...” [Private Sector]**

**“I worked very hard to get to the stage I was at in my career and when I fell pregnant things were ok but once on maternity and when returning everything went wrong. My employer called a meeting before my return to pick on my work, to tell me she was changing the structure of the organisation and that I would be pushed down the hierarchy as new positions were being created and my job role was being diluted. I was moved from my own personal office upon my return to the main office.”  
[Public Sector]**



## **Opportunities for career advancement [N=96]**

Approximately half of the respondents who identified negative differences in the job they returned to believed that their opportunities for promotion or career advancement were reduced [51.6%/N=96 out 186 respondents].

One third of these respondents had reduced their hours on return to work [N=37] while a small number of respondents had changed their employer on return to work [N=15]. Some of the respondents believe that family commitments meant that they were unable to work the extra hours which would help to advance their career. Comments made indicated that some respondents believed the long hours' culture of their organisations or the lack of flexibility in higher grade jobs meant it was inevitable that their career was 'on hold' while they had dependents.

Example comments:

**"I am not allowed to attend training as I was absent on maternity leave!"  
[Public sector]**

**"As I am now part-time I have not been offered temporary promotion as frequently as the rest of my team who are full time. This is because the majority of the temporary positions are full time but guidance states I should be offered the opportunity to temporarily change my working hours to allow for consideration for the temporary promotion position. .... I do not view this as unfair as the positions have been full time and I cannot currently work those hours but it is a reality of having changed my work pattern." [Public Sector]**

**"People in my area of work are informally expected to put in extra hours at weekends and after work at times to do writing. As I am now not able to do this as much with looking after my child, I believe that my prospects for career advancement are not as good as I will no longer be able to do this on a regular basis." [Public Sector]**

**"I have definitely had to make a choice for the family and NOT career."  
[Public Sector]**

**"I feel less valued as part-time manager following my maternity leave. There are no opportunities to advance my career unless I take on full-time hours." [Public Sector]**

### **Levels of responsibility: [N=85]**

More than two fifths of the respondents who believed that there were negative differences thought their levels of responsibility had changed for the worse [45.7%/N=85 out 186 respondents].

For some women this meant an increase in responsibility and for others a decrease. Again some respondents felt it was a consequence of reducing their working hours, however, others believed it was a consequence of having been absent from the workplace as duties had been distributed to other staff and were not returned.

Some respondents found the change in responsibility stressful; either because they were under-utilised and felt undervalued, or because they found that their duties were not adjusted in accordance with their new working hours. A reduction in the levels of responsibilities on return to work was a choice for some respondents, but it caused others to feel they had been demoted even though they had effectively returned to the same job.

Example comments:

**“I have found since I returned to work and am now part time a lot of the work I was doing when I was full time I no longer am asked to do and to be honest find myself sitting quite often with absolutely nothing to do, which causes me stress and to feel worthless”. [Public Sector]**

**“Not given the same levels of responsibility or complexity at work. This is partly my choice. Feel that working 3 days I do not have the same opportunities for promotion at the moment due to the nature of the establishment. Trusting that when I return to work full time there will be opportunities for promotion.” [Public Sector]**

**“Before I went on maternity leave I was the sole person with responsibility for an important and complex piece of work. When I was on maternity leave a new member of staff was brought in to work there .... When I came back I was put into a new management structure with someone the grade above me taking responsibility (and credit) for all I had previously done on my own before. I effectively feel I have been bypassed and demoted. I am also ...concerned that I will become deemed to be surplus to requirement as I become less and less up-to-date if I am continuously side-lined. .... I am happy to be working hard and would like to feel more valued”. [Public Sector]**

**“Some of my work had been taken from me, given to upgraded person whilst I was given their more menial work.” [Public Sector]**

**“More work thrown at me... was doing more work than a full time employee even though I was doing 20hrs... full time does 37.5.”**  
**[Private Sector]**

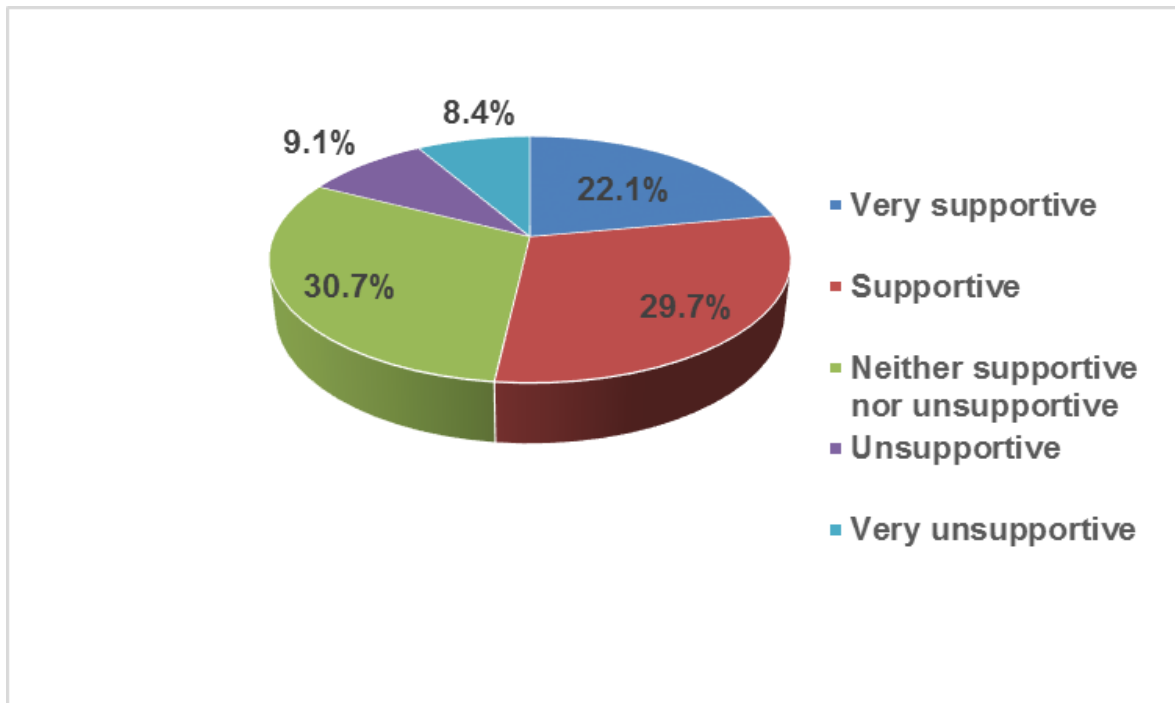
### Support shown by employers on return to work

Respondents who had returned to work were asked to rate employer supportiveness shown on their return on a scale from Very Supportive to Very Unsupportive.

Returning to the work environment following maternity leave was a difficult process for some respondents. The ease with which respondents made the transition back to work was in part dependent on both the support shown by employers during maternity leave [as reported above] and on return to work.

The chart below shows how respondents rated their employer’s supportiveness on their return to work.

**Figure 26: Respondents’ rating of employer supportiveness on return to work [N=475]**



## Supportive employers

Approximately half of the respondents who had returned to work following maternity leave felt supported by their employer [51.8%/N=246 out of 475 respondents].

Employers who were viewed as supportive had family friendly policies which were implemented and provided the opportunity to work flexibly. Respondents were supported to balance work and family responsibilities. Employers also made respondents feel valued by acknowledging that they have been away from the work environment for some time and providing the relevant information and training which they needed to do their job. Those respondents who believed their employer was supportive valued the following:

- Family friendly policies and culture
- Flexible working
- Phased return to work following maternity leave
- Proper facilities to express breast milk
- Provision of training
- Feeling welcome back
- Communication
- Continued investment in career

Example comments:

**“I was reassured that my hours would fit round my family life.”  
[Private Sector]**

**“Updated me on things and arranged training for any courses that I missed.” [Public Sector]**

**“My employer was fully accommodating about my proposed return date and request to work part-time. They were happy for me to use excess annual leave at the end of my maternity leave and then to enable me to work part time for 4 months until I formally changed my working hours.”  
[Public Sector]**

**“He at no stage made me feel it was inconvenient to return to work part time.” [Public Sector]**

**“The policy relating to new and expectant mothers has recently been updated by the organisation ... the revision of the policy can only seek**

**to improve conditions for expectant mothers, which I believe is an excellent example of the supportiveness of the organisation.”**

**[Private Sector]**

**“Allow me to take children to doctor if needed, I can attend school events.” [Public Sector]**

**“Employer has been excellent. They allowed phased return, pumping at work for 9 months, timeframe was determined by myself. They have been supportive of my need to stick to hours (excluding during audits which was planned), they have been flexible to allow me to attend dentist with my son.” [Private Sector]**

**“I worked in a team where the majority of staff including the line manager had young children and so the culture was very oriented towards being supportive of the needs of being a new parent. Flexibility and the ability to work from home when need be was common. No one made any negative assumptions about your commitment or effectiveness based on having children.”**

**[Voluntary and Community Sector]**

**“My employer was fully accommodating about my proposed return date and request to work part-time. They were happy for me to use excess annual leave at the end of my maternity leave and then to enable me to work part time for 4 months until I formally changed my working hours.”**

**[Public Sector]**

**“Immediate line management allowed me to use my carried over annual leave at their discretion to help me phase back in to work by increasing the number of days I worked gradually. My daughter has additional needs due to health problems and annual leave has been granted to facilitate attendance at her appointments which I appreciated.”**

**[Public Sector]**

**“I was able to use leave to do a 4-day week for a few months following my return. It was also acknowledged that it would take a few weeks for me to get back up to speed with my duties, and due to the high level of responsibility my role holds I was put on light duties to begin with until I was back on my feet. Whilst I was well supported this time, if I were to have another child I would be interested in reducing my hours or even taking a career break, though I'm not so sure that this would be supported in the same manner.” [Public Sector]**

## **Neither Supportive nor Unsupportive employers**

Almost a third of the respondents believed they had been neither supported nor unsupported [30.7%/N=146 out of 475 respondents].

Some respondents commented that their employer showed little interest in them on their return to work, that they were just “left to get on with it”. In some cases, they experienced a lack of preparation for their return or had no training plans put in place; they would have liked more support to reintegrate into the work environment.

### Example comments

**“My Director changed while I was on maternity leave. He initially refused my request for part-time work. I also did not meet him for three months after I had returned to work, which I interpreted as a lack of interest in me as his staff.” [Public Sector]**

**“There was no special support/training provided on return to work to re-engage with the job.” [Public Sector]**

**“It was fine, but just a matter of getting on with it - no particular efforts to reintegrate.” [Public Sector]**

**“Not really mentioned me being off on maternity leave at all. No checking to see how I have found the return to work.” [Public Sector]**

**“Feel working culture does not accommodate child care arrangements e.g. late notice of need to travel, lack of understanding when I'm unable to comply with late notice to travel or need to take time off (from Annual Leave allowance) for children's medical appointments etc.”  
[Voluntary and Community Sector]**

**“I was basically left to get on with it. It definitely affected me as returning to work leaving my son at home was hard enough.... I found this very stressful.” [Public Sector]**

**“No consideration has been taken of how I have adapted back into work or of me and my family health issues etc.” [Public Sector]**

## Unsupportive employers

Approximately one in six respondents felt unsupported by their employer on their return to work [17.5%/N= 83 out of 475 respondents].

A lack of support meant that return to the work environment was additionally stressful. Respondents who felt little support from their employer believed they had experienced:

- A change in attitude towards them
- Removal of responsibilities/duties
- Lack of flexibility
- Negativity towards breastfeeding
- An expectation to “hit the ground running”.
- No assistance with regard to major changes in work
- No preparation for their return

Comments made by respondents indicate that they felt less valued employees on their return. They state they were barely acknowledged by their managers on their return or that there was no preparation made for their return. Some respondents stated that or that they have found it difficult regaining the duties that they held previously.

Other respondents believed that their work has been over scrutinised and unfairly criticised, which increased their feeling of vulnerability.

Comments made indicated that organisational policies aimed at supporting returning employees failed to be implemented.

Respondents felt that reluctance to consider flexible working feel was unsupportive and has made finding a work life balance difficult. Those who have not been supported in reintegrating into the work environment stated that they felt isolated and demoralised, particularly where changes have been made during their absence or where they have come back to a different job role.

More specifically some breastfeeding mothers felt that their employer has failed to ensure that this was facilitated in a private, clean and calm environment. It is worth noting that many comments made in this respect have been from workers in health services.

Example comments:

**“Noticeable change of attitude - part-time workers obviously not supported, derogatory comments made; lack of support.”  
[Public Sector]**

**“I was made to feel unwanted by higher management. They did not encourage me at all and seem to pick on things that are beyond my control. I feel they are doing this to push me out.” [Private Sector]**

**“Asked to do voluntary overtime. Pump milk in toilet. Told to give up that breastfeeding nonsense.” [Voluntary and Community Sector]**

**“My employer did not support me on my return to work. I felt very isolated on my return.” [Public Sector]**

**“I feel completely undervalued and demoralized.” [Public Sector]**

**“Unrealistic expectations in relation to work outside of normal working hours...”. [Public Sector]**

**“Nowhere near enough help to resettle and learn the changes that were in place.” [Public Sector]**

**“Did not follow company policy, did not meet with me or advise of changes in the workplace.” [Public Sector]**

**“I have come back into work and I have had no contact with my manager. No support whatsoever.” [Public Sector]**

**“I have never had an issue with my quality of work before. Now he finds everything he can wrong with my work and seems not to trust me.”  
[Private Sector]**

**“My work is unduly criticised; concerns raised about workload are put down to me being ineffective; I was not informed about training opportunities; my input/views are dismissed.” [Public Sector]**

**“I have been back to work 2 months and the main part of my job has been taken off me, and I still haven't been giving my replacement duties to make up for what was removed.” [Private Sector]**



## 4.7 Resolving Workplace Issues

### 4.7.1 Summary

- All respondents were asked to indicate their level of knowledge of their pregnancy employment rights. Those who had been treated unfairly were asked about action taken to resolve workplace issues and whether or not their grievance had been resolved.
- There was a good level of knowledge of employment rights amongst respondents; just one in five believed they were not well informed about their employment rights [20.9% of 807 respondents].
- Respondents who reported that they had been treated fairly by their employer were better informed of their rights than other respondents; two out of five were somewhat or well informed [81.2% of 436 respondents].
- Respondents obtained their information about their rights from a variety of sources but mainly through their own research [59.5% of 608 respondents], from employers [48.6%] and from colleagues, family or friends [47%].
- Respondents researched the internet because they were keen to find information specific to their individual circumstances or because they were concerned that information provided by employers was not sufficient, timely or up to date.
- The majority of respondents, who took action to resolve their workplace issues, took more than one action. Action taken was mostly informal action, for example, discussing their issues with family or friends [74.7% of 293 respondents] or discussion with managers [38.6%].
- Just one in six respondents who believed they had been treated unfairly took a formal complaint within their organisation [17.1% of 293 respondents]. A similar number contacted a legal representative or sought advice from the Equality Commission.
- One in three respondents sought another job as a way to resolve their issues [36.2% of 105 respondents].

- **One in four respondents took no action [24.6% of 105 respondents]. Most were aware that they could take action and how to go about it, but were reluctant to go through what was viewed as a stressful and a possible career damaging and futile experience.**
- **More than half believed that nothing would/could be done [54.5% of 66 respondents] and that taking action would have a negative effect on their career [53%].**
- **The majority of respondents stated there was no resolution to their employment issues [60.8% of 265 respondents]; they believed their employer had failed to recognise or deal with the issues.**
- **Respondents were discouraged from pursuing their case formally, within their organisation or through an Industrial Tribunal, believing they would have difficulty in meeting the time limits imposed, the process would be too stressful or the legal costs too great.**
- **Just 14 respondents reported resolution of their workplace issues [29.5% of 265 respondents]. For some respondents, satisfactory resolution included leaving their employer or having a different manager or a new position within the organisation.**

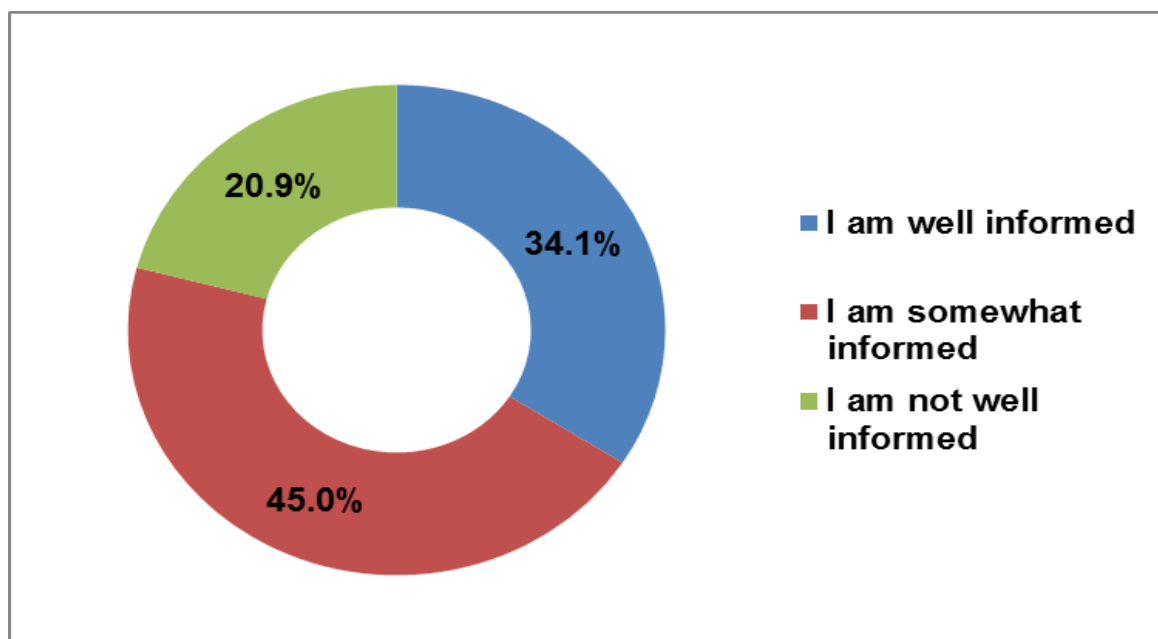
## 4.7.2 Awareness of pregnancy employment rights

All respondents were asked to indicate how well informed they are of their employment rights in relation to their pregnancy.

In general, respondents felt informed of their pregnancy employment rights. Approximately four out of five respondents indicated that they were either well informed or somewhat informed of their rights [79.1%/N=638 out of 807 respondents]. One in five respondents described themselves as not well informed [20.9%/N=169].

The chart below shows how respondents rate their knowledge of pregnancy employment rights.

**Figure 27: Respondents' rating of their knowledge of employment rights N=807**

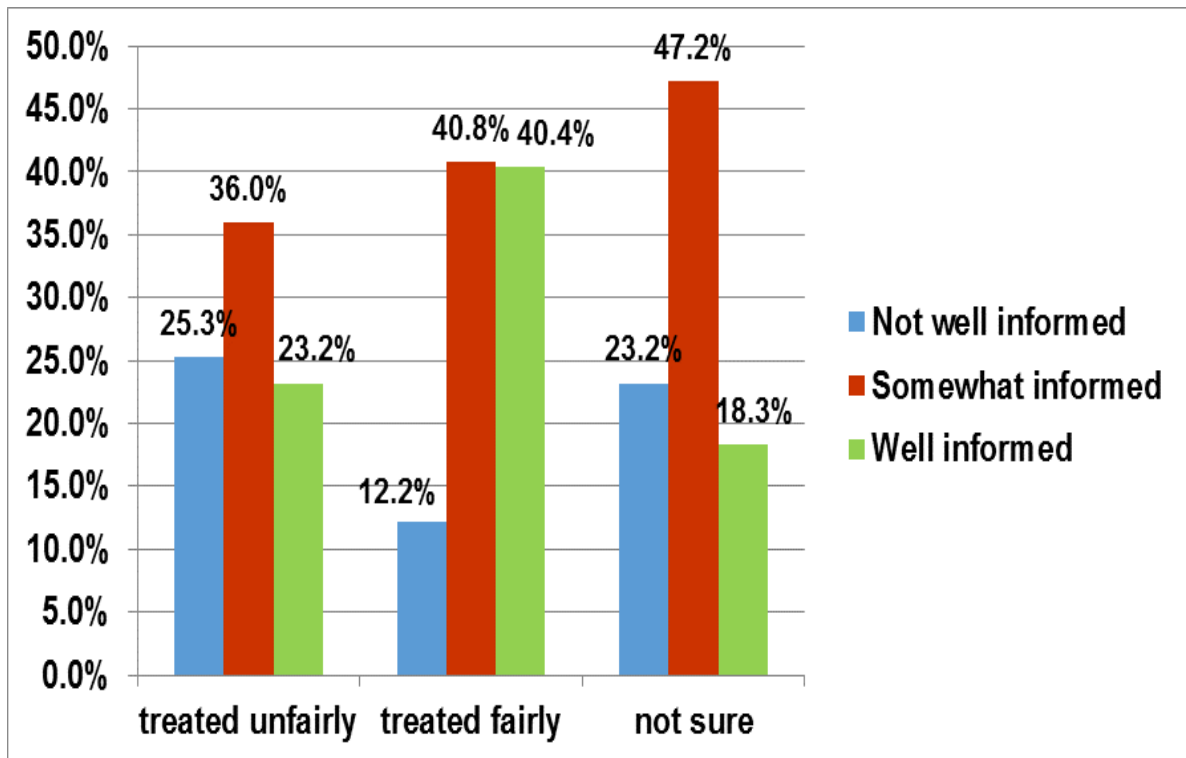


A greater number of respondents, [four out five respondents] who believed they were treated fairly by their employer were somewhat or well informed of their employment rights [81.2%/N=351 out of 436 respondents.]

This compares with around two in three respondents who were unsure about their employment experience [65.5%/N=93 out of 142 respondents] and three out of five respondents who thought that they had been treated unfairly by their employer.

The figure below shows the relationship between knowledge of rights and respondents' opinions of their employment experiences.

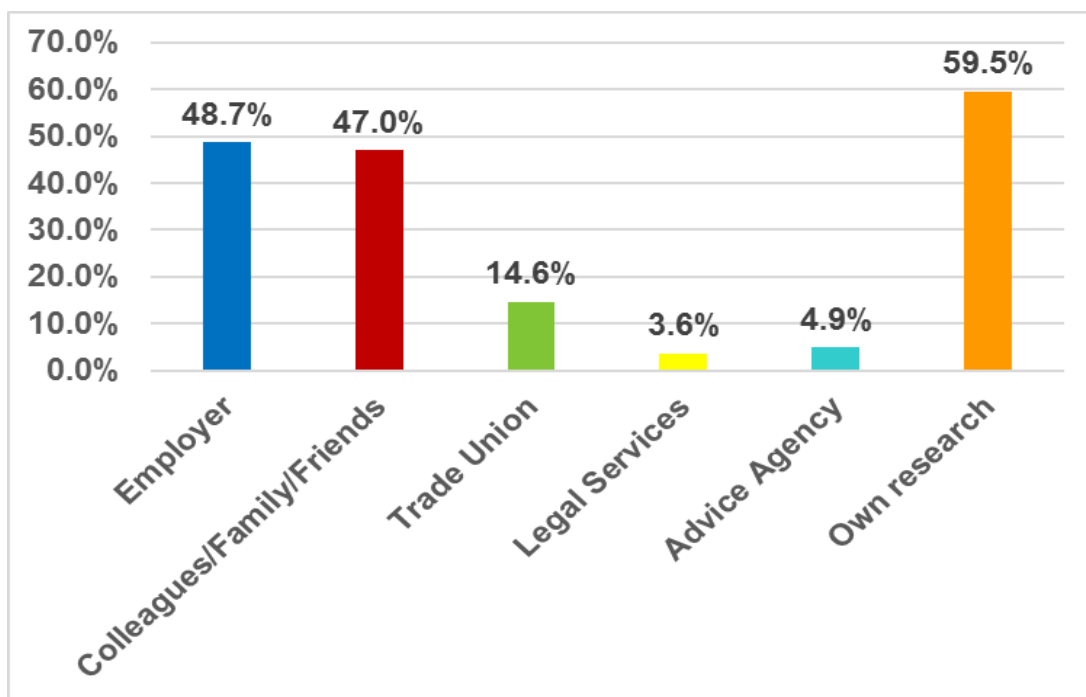
**Figure 28: Employment experience and knowledge of pregnancy employment rights**



### Source of Information N=608

Respondents who were well or somewhat informed were asked to identify the source of their information. Respondents obtained their information from a variety of sources and most had more than one source of information.

**Figure 29: Percentage of respondents who obtained information from each source.**



Respondents favoured their own research for information about employment rights. With almost two thirds of respondents indicating that they carried out their own research for information, the internet in particular was an important source [59.5%/N=362 out of 608 respondents]. Sites such as NI Direct, Labour Relations Agency and various Human Resources and Parenting Forum websites were researched.

Respondents stated that they carried out their own research to obtain information specific to their individual circumstances, and because they were unable to obtain information from employers. Some respondents thought their employers lacked knowledge about employment rights or were slow to provide information; in particular, accurate information about maternity leave entitlements and pay and/or childcare vouchers.

In contrast, employers were identified as valuable sources of information by almost half of the respondents. They obtained information via managers, Human Resources departments and employee handbooks. A similar number of respondents relied upon family, friends and colleagues were for information.

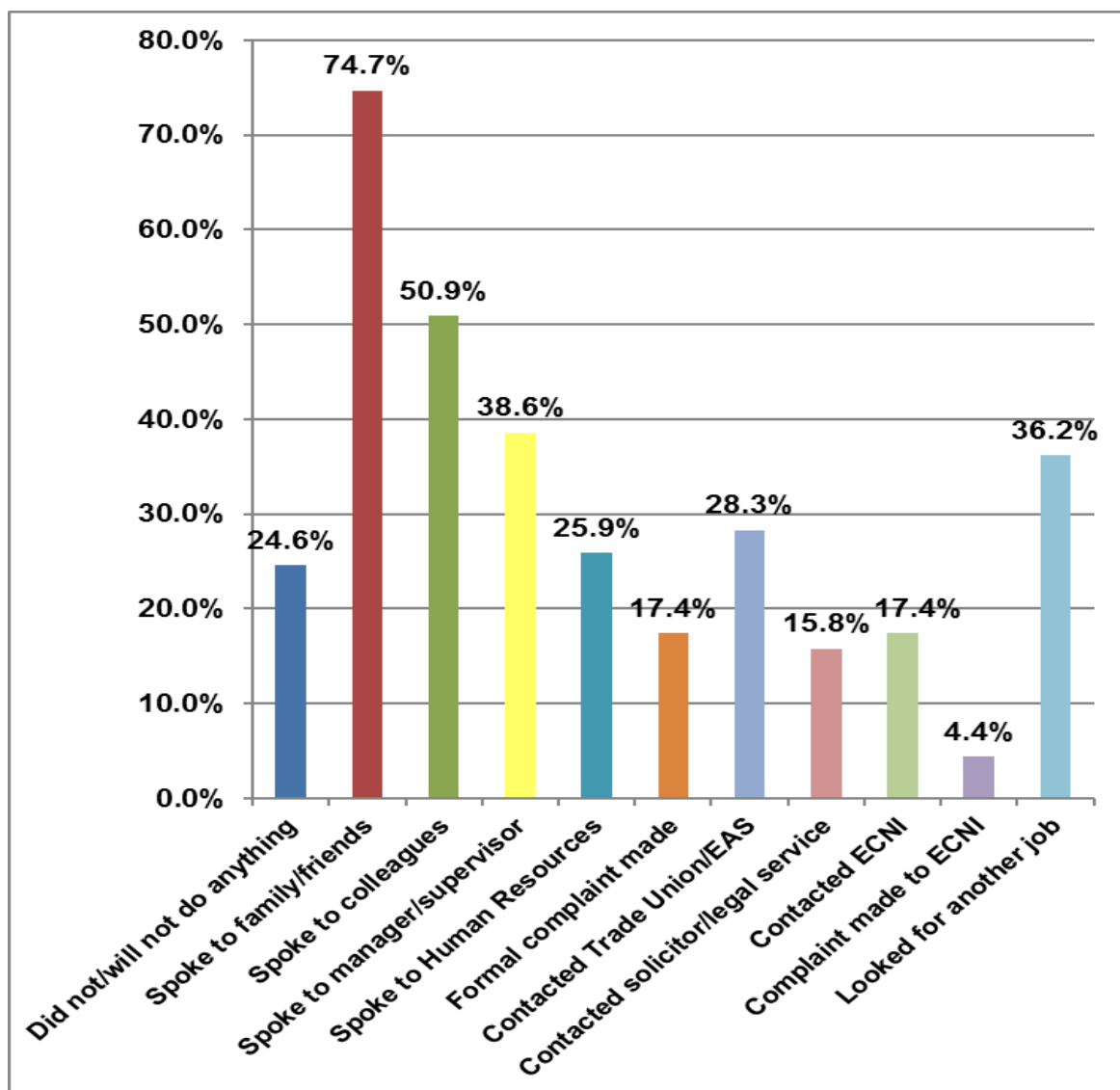
A smaller number of respondents sought information from a more formal source. Almost a quarter of respondents obtained information from Trade Unions, advice agencies and/or the legal profession. Health Service Professionals were also mentioned as a good source of information.

### 4.7.3 Action taken to resolve issues

Respondents who believed they had been treated unfairly or disadvantaged as a result of their pregnancy or having taken maternity leave were asked to identify what actions they had taken to resolve their issues.

The chart below shows the action taken by respondents to resolve their workplace issues.

**Figure 30: Percentage of respondents taking each action to resolve their workplace issues N=293**



Informal action such as discussing issues with family/friends, colleagues and managers were the most common actions taken by respondents. Smaller numbers sought advice from outside agencies or Trade Unions. Approximately one sixth of respondents contacted the Equality Commission for Northern Ireland for advice [N=51]; however, just one in twenty-five respondents lodged a formal complaint with the Commission [N=13].

More than one in three respondents felt compelled to look for other employment, with some respondents stating that this was the only the way to resolve their employment issues [N=106].

Most respondents took more than one action. Informal action, such as discussing their issues with family/friends or colleagues, generally led to further discussion with managers and or other advice providers.

Almost one in four respondents indicated that they took no action to resolve their issues [N=72]; most of these respondents took some kind of informal action. Just 17 of these respondents took no action whatsoever.

Less than one in five respondents took a formal complaint within their organisation [N=51]. A small number of these formal complaints led to application to an Employment Tribunal [N=6]. The majority of respondents who made a formal complaint believe that there has been no resolution of their issues [N=28 out 51 respondents].

**Table 4: Respondents who made a formal complaint: outcome of action taken**

<b>Outcome of action taken</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>No resolution</b>	58.8%	30
<b>Fully resolved</b>	5.96%	3
<b>Somewhat resolved</b>	17.6%	9
<b>Don't know</b>	9.8%	5
<b>Not known</b>	7.8%	4
<b>Total</b>		<b>51</b>

Comments made by respondents indicate some of the reasons why so few make application to a Tribunal. For example, the expense of legal costs and the possibility of personal health costs are described as being too great, as is the perception that as an individual they are unable to fight against “big business”.



## Example comments

**“...Employers tend to do what they want as they know it is a lengthy, long drawn out process and whilst their liability insurance will cover the cost of their legal fees, they can afford solicitors and barristers fees - it has little personal financial bearing on them whereas an employee will carry all the cost of their own fees...” [Public Sector]**

**“This is a widespread problem and there is a blind eye turned towards it. Pregnant women are not in a position to carry out a long legal battle so they don't make a fuss. The changes to employment tribunals make it a lot less likely that people will go forward with them. I was made redundant unlawfully while pregnant and I didn't receive the full redundancy payment that I was initially offered. However, the process was carried out in such a stressful way that I was more worried about losing the pregnancy than fighting my case.” [Private Sector]**

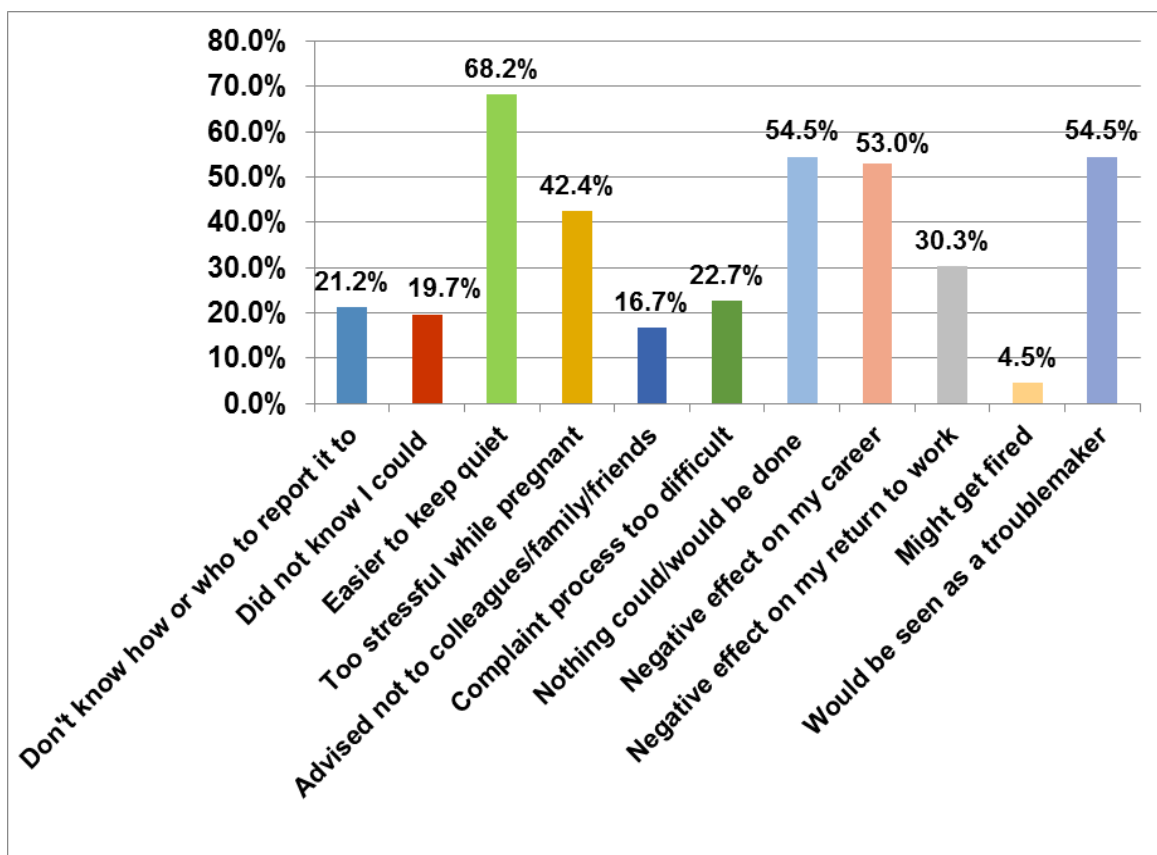
**“The law on direct and indirect sex discrimination is very confusing especially when it comes to flexible working and returning from maternity leave rights. The burden of proof is also very confusing. Advice can be conflicting and not always clear. The legal timelines imposed by the law also making it very difficult especially if you are going through an internal grievance process with your employer and you don't want to be seen as being aggressive by lodging an application with the industrial tribunal too prematurely.” [Public Sector]**

**“My situation was never resolved, it was settled out of court as I couldn't afford financially to take the risk of having to pay my solicitor for a two-week case and therefore had no option despite my reluctance to do it. I was mistreated unfairly and never got the result I deserved due to the lack of structure and support around employment disputes.” [Public Sector]**

## Reasons for not taking action

All respondents who indicated that they did not take action were asked to identify, from a given list, the reasons why they did not take action to resolve their employment issues. As can be seen from the figure below respondents provided more than one reason. [As reported above, some respondents who “did not take any action” did in fact take some, mostly informal, action to address their concerns.]

**Figure 31: Percentage of respondents identifying each reason for taking no action to resolve employment issues [N=66]**



These results clearly indicate that respondents who took no action to resolve their grievances did so because they were concerned that the process would be stressful and that it would damage their reputation, career, or health.

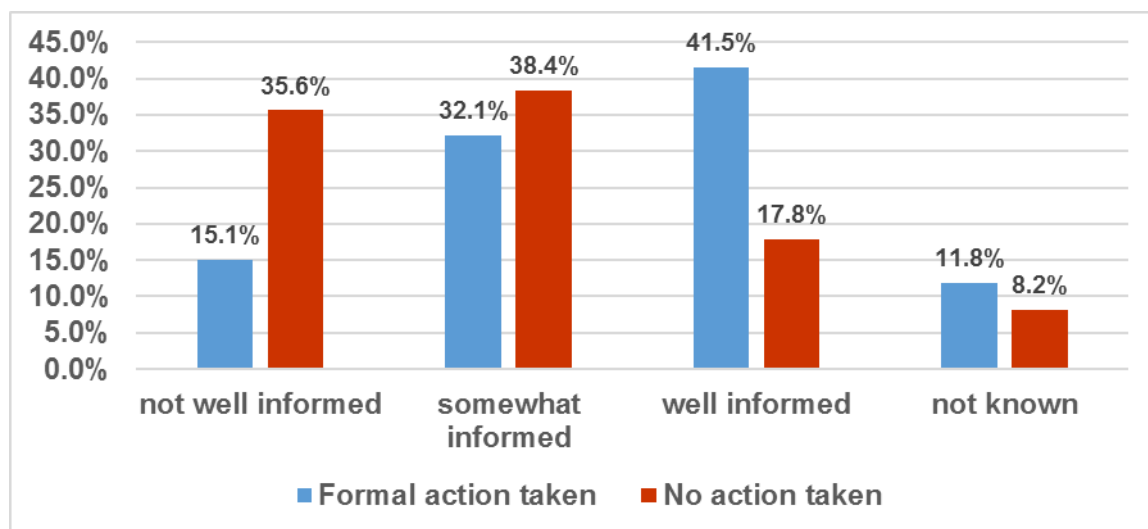
Just one in five respondents indicated that they were unaware they could take a complaint and how to go about it [N=14 out of 66 respondents]. A similar number of respondents believed the complaint process itself to be too difficult for them to take forward [N=15].

The main reasons given by respondents for not pursuing their grievances related to self-preservation and the belief that it would ultimately have a negative outcome for them. These respondents believed it was less stressful to do nothing, particularly when they believed that there would be no satisfactory resolution.

More than half of the respondents believed that taking action would not be worthwhile and that there would be no resolution [N=36]. One in six respondents acted on the advice of friends and family [N=11].

As the chart below indicates, respondents with a good level of knowledge of their employment rights were more likely to take formal action to address their grievances [43.1%/N=22 out of 51 respondents]. However, having some information of their rights meant that respondents were aware that they may have a grievance but this knowledge was not enough for them to take formal action [38.4%/N=28 out of 73 respondents].

**Figure 32: Knowledge of employment rights and action taken**



Example comments

**“The organisation is so large, that I knew the burden of stress in a complaint would rest squarely on my shoulders, and that it would affect my family life negatively.” [Public Sector]**

“I was 20 years old at the time had worked with the company for around 1 year and did not know I could ask anyone for help, primarily because I was more concerned about what job opportunities I would have after having my baby if I did not have a good reference from the company I had been working for.” [Private Sector]

“Sought alternative employment. Am now pregnant again and feel more confident and informed about my rights and would be more confident in raising the issue formally if I needed to.” [Private Sector]

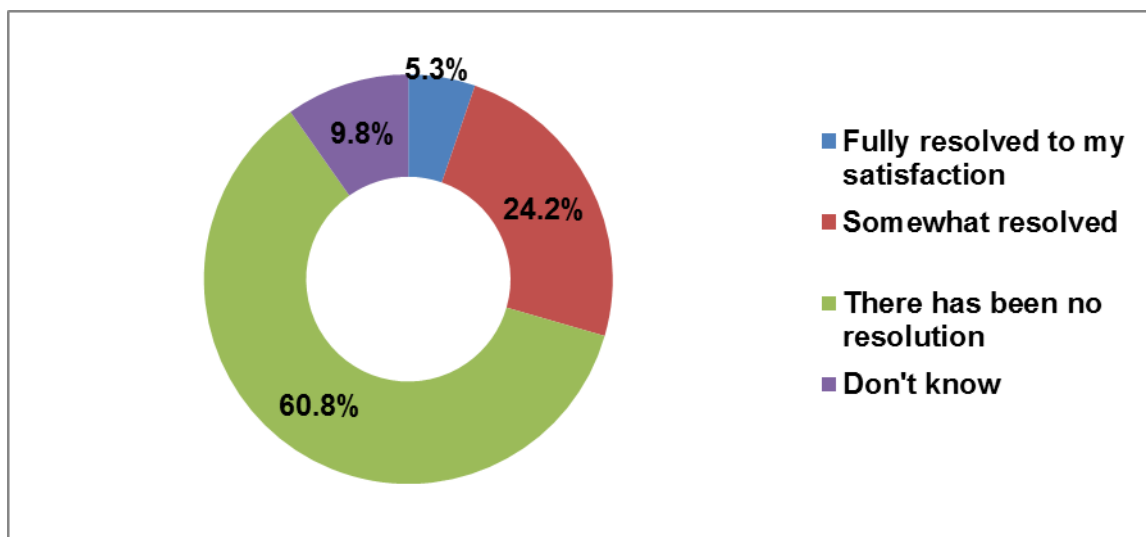
“Moved jobs - Northern Ireland is too small, raising a complaint would result in it being filtered into rumour mill - hence reduce chance of job with new employer.” [Private Sector]

#### 4.7.4 Resolution of employment issues

Respondents who had been treated unfairly or disadvantaged were asked to indicate if their grievances had been resolved. Most respondents did not believe that their issues had been resolved.

The chart below shows the percentage distribution of respondents in respect of the resolution of workplace issues.

**Figure 33: Percentage of respondents believing their employment issues to be resolved [N=265]**



Three in five respondents believed that there had been no resolution to their employment issues [N=161]. This encompassed those respondents whose issues were ongoing, whose issues had been dealt with but not resolved satisfactorily, and those who had left behind their unresolved issues when they changed employers or left work. Respondents commented that failure to resolve issues was due to a failure by their organisations to recognise and/or address the problems.

One in six of the respondents who stated that their issue remained unresolved had lost their job either through redundancy, dismissal or non-renewal of contract, or had chosen to leave their employer [17.4%/N=16 out of 161].

Example comments:

**“The situation remains unchanged and the school management and governors do not see that they have done anything wrong.” [Public Sector]**

**“I left but this isn’t a resolution and other workers will be treated this way too.” [Private Sector]**

**“Nothing has changed, I was told by other directors that that was just how the MD was and I was to get used to it.” [Private Sector]**

**“Small architectural practice where there was no opportunity to try address the situation. All very personal and when became pregnant a second time there was no option but to hand in my notice based on my experience of the first pregnancy.” [Private Sector]**

**“Went self-employed to avoid ever being treated the same way again.” [Private Sector]**

Approximately one quarter of the respondents believed that their issue had been to some extent resolved [N=64], while just one in twenty respondents stated that their employment issues were fully resolved [N=14].

Again, comments from respondents indicated that leaving their employment was seen as a solution, while others believed that new management or transfer to new positions within the organisations solved their issues, somewhat if not fully.

**“New management now in place.” [Public Sector]**

**“Since returning from Maternity Leave I have taken up another post in a new team, ....” [Public Sector]**

**“I left the practice.” [Private Sector]**

**“I was moved to another department on reduced hours (not requested). ... I feel respected by colleagues and my new line manager, and I am happy in my role.” [Public Sector]**

**“While pregnant I was given a job offer and requested that as part of the offer that I would be given occupational maternity pay. My workplace discussed that they did not want to give me this option so instead said I could have a bonus based on previous work performance ... I discussed that I felt a bonus was inappropriate ... There was no follow up to this conversation and I received no further occupational maternity entitlements... Since my return to work I have spoken with the head of our organisation and outlined that I thought that the absence of occupational pay was poor practice ... Since then the organisation is seeking to make an offer to me to compensate for my experience. I am in the middle of this process at present.”  
[Voluntary and Community Sector]**

**“There was no structure in place, so the decision had been left up to my line manager, ... He has since been removed from post (mine was not the only issue). As a result of my experience the structures have been put in place.” [Public Sector]**

## **5 Women's Focus Group Participants and Individual Contributors**

**This section relates the employment experiences of focus group participants and examines the common themes of the experiences of participants and their similarities with those of online survey respondents.**

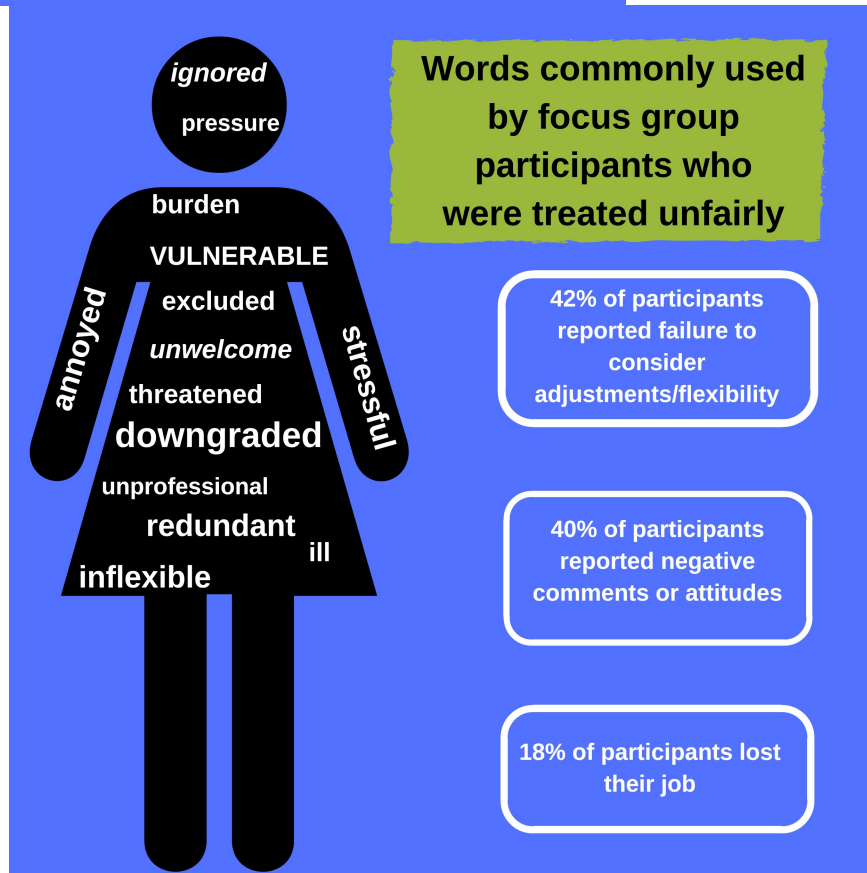
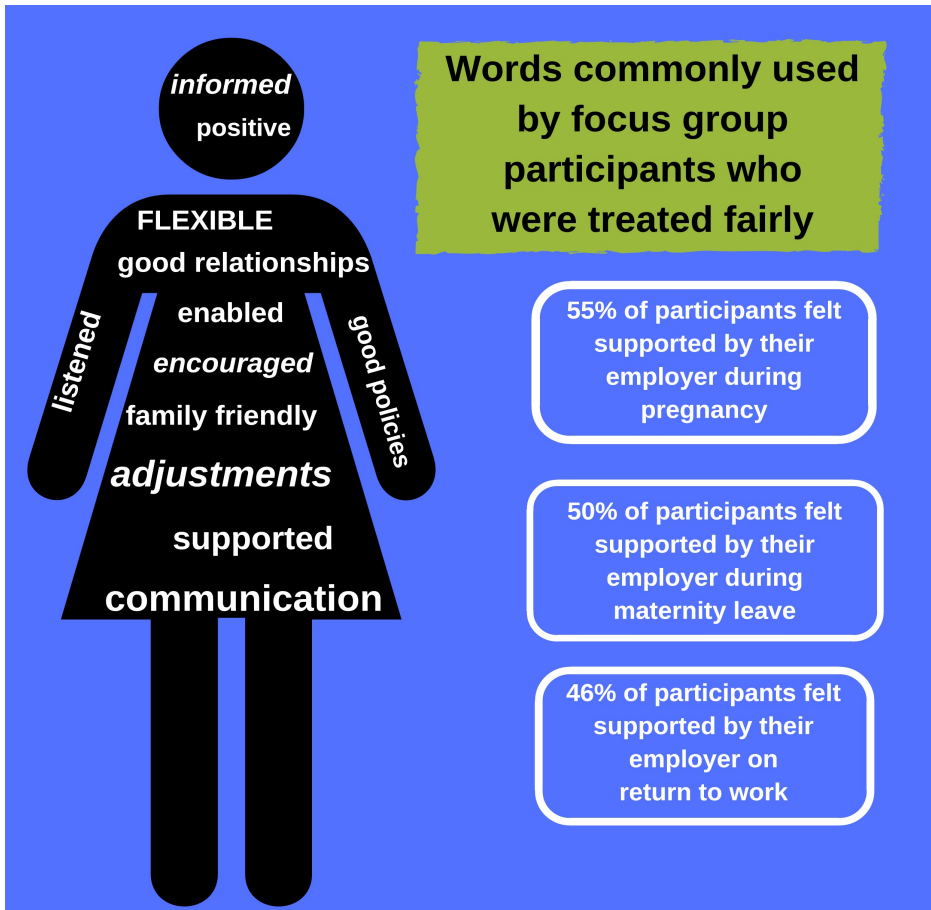
**Finally, this section will also report briefly on the employment experiences of individuals who contributed to the investigation.**

### **5.1 Summary**

- A total of 57 women took part in 11 focus groups held in Parent and Toddlers Groups across Northern Ireland.**
- Consideration of the individual stories identified a number of common themes which differentiate between a supportive work environment and an unsupportive and potentially discriminatory workplace.**
- Although the employment profile of focus group participants [mainly Private Sector employees] differs to that of online survey respondents [mainly Public Sector employees], the employment experiences reported, good and bad, corroborate the experiences of survey respondents.**
- Two fifths of participants reported negative comments and attitudes [40.4% of 57 participants]; two fifths of participants [42.1%] stated that their employer was unwilling to consider any flexibility or adjustments in respect of working hours, work duties and work environment, and almost two fifths [38.6%] experienced poor communication poor information provision.**
- One fifth of participants [17.5% of 57 participants] lost their job through redundancy, dismissal or through their employer's lack of flexibility.**
- Focus group participants felt most supported by their employers during their pregnancy [55.3% of 56 participants] and during their maternity leave [50% out of 54 participants].**
- More than one in three participants thought their employer had failed to support them on return to work [36.4% of 33 participants].**

- **Good communication and good relationships with management were seen as important factors of a supportive work environment, together with, appropriate policies and practices, and willingness to accommodate flexible working patterns.**
- **Employers who were unsupportive were described as lacking concern for their wellbeing, holding negative attitudes towards working mothers and failing to communicate with pregnant employees and mothers on maternity leave.**
- **Focus group participants reported similar impacts of such employment experiences as online survey respondents. They reported negative impacts to their self-confidence, their health and to their careers.**
- **The five individual contributors also provided similar employment experiences. They reported receiving negative comments from managers, being sidelined, denied training, problems regarding the implementation of organisational policies, and in some cases loss of employment.**





Figures 34 and 35

## 5.2 Focus Group Participants

Focus groups were held in Parent and Toddler Groups across Northern Ireland and a total of 57 women participated by sharing their employment experiences during pregnancy, maternity leave and return to work. Although each County was represented, similar to the online survey respondents, the majority of focus group participants lived in County Antrim.

**Table 5: Location of focus participants**

County lived in	Percentage of Participants	Number of Participants	Number of focus groups held
<b>Antrim [including Belfast]</b>	43.9%	25	6
<b>Armagh</b>	8.8%	5	1
<b>Down</b>	12.3%	7	1
<b>Fermanagh</b>	14.0%	8	1
<b>Londonderry</b>	15.8%	9	1
<b>Tyrone</b>	5.3%	3	1
<b>TOTAL</b>		<b>57</b>	<b>11</b>

The majority of focus group participants were aged 30 years old or more [77.2%/N=44] and were in employment [69.2%/N=40], having returned to work following maternity leave [40.4%/N=23]. This reflects the age group and employment status of online survey respondents although a higher proportion of survey respondents were in employment having returned to work. A greater proportion of focus group participants were not in employment [21.1%/N=12].

**Table 6: Employment Sector of focus group participants**

Sector	Percentage of participants	Number of participants
<b>Private</b>	68.4%	39
<b>Public</b>	26.3%	15
<b>Voluntary &amp; Community</b>	5.3%	3
<b>Total</b>		<b>57</b>

Unlike the survey respondents, the majority of whom were employed in the Public Sector, focus group participants were mainly Private Sector employees during their pregnancy [68.4%/N=39]. As the Table below shows, focus group participants

represented a range of occupational sectors including Retail, Finance and Insurance, Professional Scientific and Technical, including Public Services.

**Table 7: Industry employed in during pregnancy**

<b>Industry</b>	<b>Percentage of participants</b>	<b>Number of participants</b>
<b>Accommodation and Food Services</b>	7.0	4
<b>Business Administration and Support Services</b>	1.8%	1
<b>Education</b>	7.0%	4
<b>Finance and Insurance</b>	10.5%	6
<b>Health</b>	7.0%	4
<b>Manufacturing</b>	10.5%	6
<b>Professional Scientific and Technical</b>	10.5%	6
<b>Public Administration</b>	15.8%	9
<b>Property</b>	1.8%	1
<b>Retail and Wholesale Trade</b>	17.5%	10
<b>Other</b>	10.6%	6
<b>Total</b>		<b>57</b>

More than half of the focus group participants earned less than £20,000 gross annual salary per annum [57.9%/N=33]; this is twice as many as those who completed the online survey.

The employment profile of focus group participants differs to that of online survey respondents, however, the employment experiences of focus group participants corroborates the experiences previously reported by online survey respondents in Section 4.

For further information about the women who participated in focus groups please see Appendix 2.

### 5.3 Employer Supportiveness

#### Support Shown by Employer During Pregnancy

More than half of the participants believed that their employer was supportive during their most recent pregnancy [55.3%/N=31 out of 56 participants], with one in three participants rating their employer as Very Supportive [N=19]. This is similar to the proportion of online survey respondents who believed they were supported during their pregnancy [54.6%].

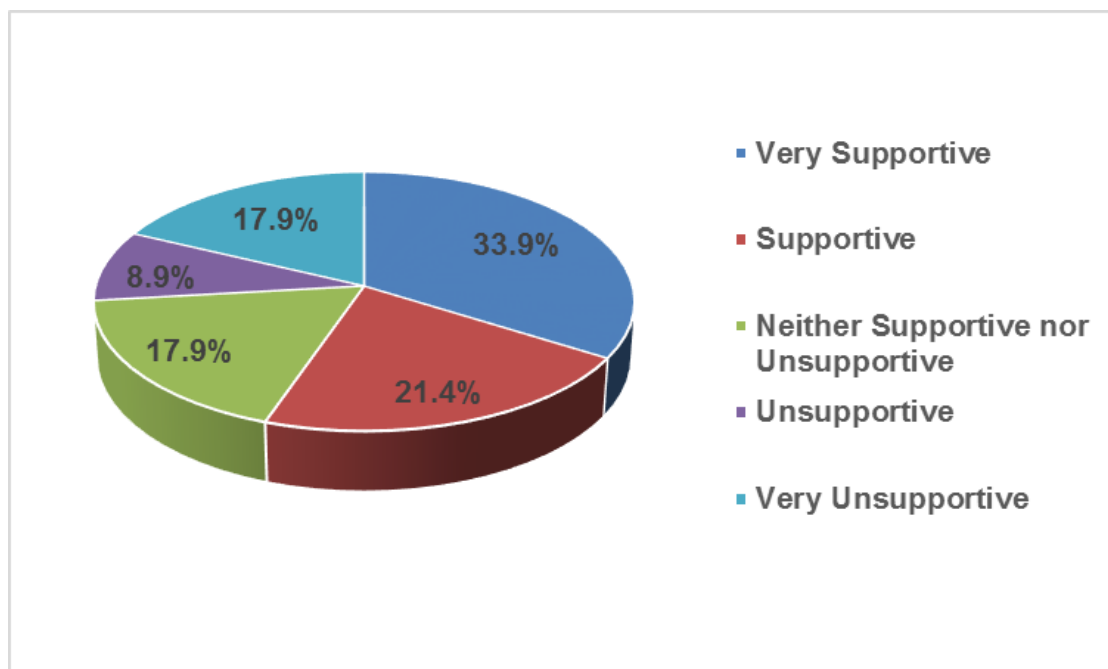
However, more than one out of four participants believed their employer did not show support [26.8%/N=15].

Focus group participants characterised employer supportiveness during pregnancy in a similar way to online survey respondents:

- good communication; discussing plans and providing necessary information;
- taking appropriate action to remove health and safety risks, and
- willingness to make adjustments to enable pregnant employees to remain in work.

The chart below shows the percentage of participants rating their employer as supportive or unsupportive during pregnancy.

**Figure 36: Employer Supportiveness during Pregnancy**



Employers who were supportive during pregnancy were viewed as being family friendly but for some participants it was not always the case that this continued throughout. Some participants did not experience the same level of support during maternity leave and/or on return to work.

As with online survey respondents, unfair treatment and a lack of support during pregnancy was the main reason given for not returning to their job.

- **Good communication and good relationships with management**

Focus group participants stated that good communication with managers who showed empathy and treated information confidentially was supportive. Also said to be supportive was the provision of company policies and information about entitlements. Good communication ensured that both employee and employer knew what was required of them. It enabled employers to put in place necessary actions which enabled the participants to continue working during pregnancy.

The following experiences of focus group participants demonstrate the importance of communication in making the employee feel valued and included. Participants reported:

**I had a good relationship with my female line manager and she was one of the first people I told about my pregnancy. She very discretely took me off some duties so that other colleagues wouldn't find out before I wanted to tell them. It is a small employer but there is real family friendly atmosphere which I like. [Private Sector]**

**My employer listened to what I needed. People from the Human Resource department visited me at the shop; they did a risk assessment and told me everything I needed to know about the policies. [Private Sector]**

**My line manager had an informal chat with me about what my needs were and what my limitations may be. A formal risk assessment followed. [Public Sector]**

**I appreciated that there was clear communication about policies and what I could expect from my employer. I was made aware of the options open to me and there was no pressure to opt for any one in particular. [Public Sector]**

Focus group participants emphasised good relationships with management as an essential factor in receiving support from their employer. Participants felt that communication was improved whenever they had a good relationship with management and/or their employer as this was when *their* needs were listened to and acted upon. One participant reported:

**I don't think my employer could have improved anything about the way in which I was treated. I think having a good relationship with my manager helped whenever I needed adjustments and I fully expect my line manager to support my flexible working request. [Private Sector]**

The following examples given by focus group participants are two extremes involving the same Private Sector employer. They both communicated their needs to the employer but their individual relationships with the employer were very different.

**Participant A reported:**

**I work full time on a line sorting clothing, small items like shoes and handbags. I'm on my feet all day but I have an agreement with my employer that I don't have to lift anything heavy. I talked to him and we agreed what I can and can't do and he is prepared to be flexible. I did move to a different line once and I felt dizzy and I think this frightened him and I'm now allowed to take breaks. I think I get away with more than others. He likes me and his attitude towards me is the exception rather than the rule. I negotiated my maternity leave and will get Statutory Maternity Pay. My relationship with him has been extremely important, it has enabled me to stay in work and that is exceptional for this employer.**

**Participant B reported:**

**I was on my feet all day, sorting wet clothes. It was heavy work having to lift the clothes and throw them up to a higher level. I'd had several miscarriages before this pregnancy and at around 6 weeks I started bleeding when I was at work. My employer was annoyed and didn't want to call for medical assistance; he made me get a taxi. I was advised by my doctor to rest for two weeks. I asked if I could move onto a different line with lighter items; he refused. I was off for another 4 weeks and he refused to accept my sick certificates when I took them to him. He shouted at me that he shouldn't have to pay for my baby and was abusive. I got advice and kept sending him the certificates. I couldn't go back to work and it affected my entitlement to Statutory Maternity Pay. I would never go back to this employer. The experience made me ill.**

## **Making appropriate adjustments**

Employers who made necessary adjustments to work duties or hours of staff during their pregnancy were viewed as valuing their employees. This encouraged participants to return to their employer following maternity leave.

Such adjustments included, allowing time off to attend ante natal appointments, making adjustments to duties during their pregnancy for health and safety reasons, and flexibility in working times if required. Participants believed adjustments enabled them to continue working and to deal with the challenges they faced during pregnancy.

It was important, not only that appropriate Health and Safety policies were in place, but also ensuring that these were implemented. Again participants viewed good relationships with managers, who discussed and listened to their needs, as important factors in this willingness to accommodate them.

The following employment experiences refer to the value of employers' willingness to be flexible or make adjustments: Participants reported:

**I was a part time customer assistant when I was pregnant but I regularly worked longer and irregular hours. My employer was supportive when I announced my pregnancy. As my pregnancy progressed I was able to cut back on the extra hours I worked. My line manager kept in touch while I was off on maternity leave and kept me up to date with what was happening in work. I felt supported by my employer and had no doubt that they would be flexible on my return to work. I feel that my employer listened to me; what I needed and wanted. [Private Sector]**

**I think my employer was supportive because they were flexible. They allowed me to take breaks when I needed them and I had no problems with time off for appointments. I was given time to train my maternity cover and have been offered a change in hours on my return. I feel really encouraged to go back. [Voluntary and Community Sector]**

**After I announced my pregnancy a risk assessment was done and maternity chair provided. I was able to use my annual leave to take time off when I needed it and could take breaks when I got uncomfortable or needed fresh air. [Private Sector]**

## Support Shown by Employer During Maternity Leave

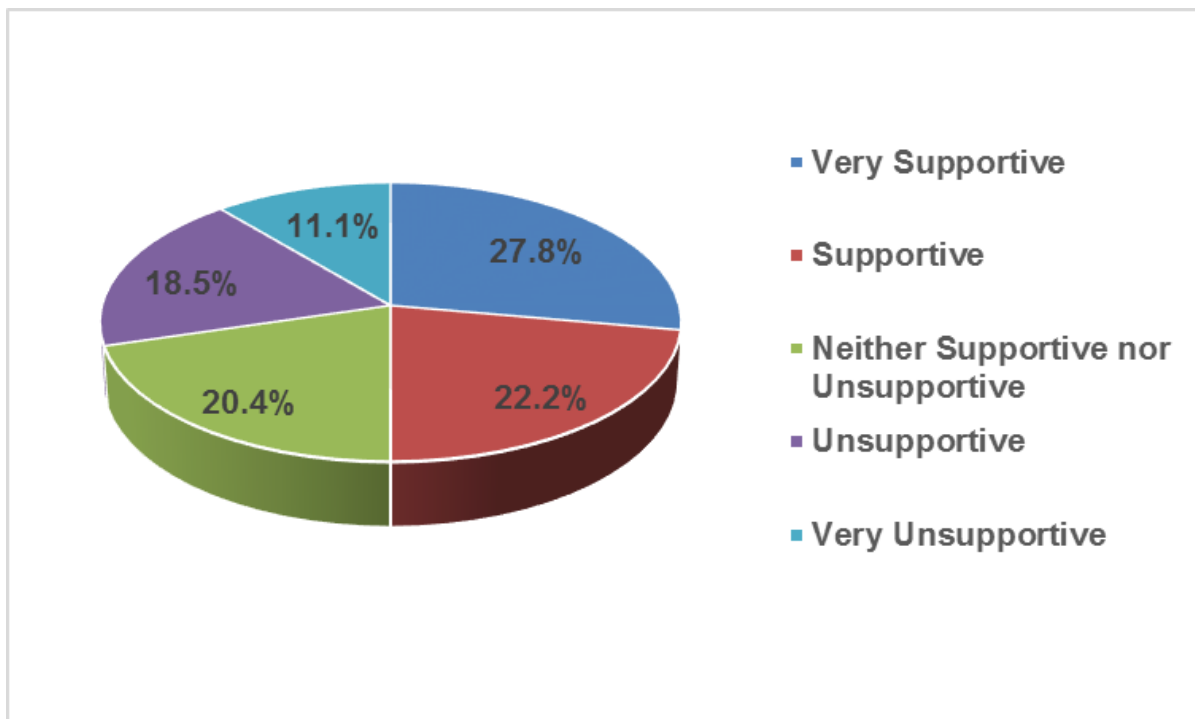
Employers were largely thought to be supportive during maternity leave. Half of the focus group participants believed that they were shown support by their employer [N=27].

However, more than one in four participants felt unsupported during maternity leave [N=16] and one in five participants felt that their employer had been neither supportive nor unsupportive [N=11].

In comparison more online survey respondents felt they were neither supported nor unsupported during maternity leave [38.2%] and fewer survey respondents believed they had been shown support [41.8%].

The chart below shows the percentage of participants rating their employer as supportive or unsupportive during maternity leave.

**Figure 37: Employer Supportiveness during Maternity Leave**





Focus group participants characterised employer supportiveness during maternity leave as:

- reasonable contact throughout maternity leave
- provision of information
- opportunity to work Keeping in Touch Days [KIT days]

### **Contact during maternity leave**

Reasonable contact and providing workplace updates and information about career opportunities was viewed as supportive. Similar to online survey respondents, individual preference dictated what constituted reasonable communication.

Focus group participants highlighted the importance of formal channels of contact and information provision from line managers or employers, as opposed to informal contact with colleagues. Without this formal contact, some participants were concerned that they were “forgotten about” and excluded. Communication between the employee and the employer during maternity leave was particularly important for those whose application for flexible working had not been approved prior to leaving work.

During maternity leave KIT days were not available to everyone but those participants who worked KIT days thought they were better able to readjust to the workplace. They were viewed as particularly important for women who had taken a longer maternity leave or whose workplace had undergone major change during their absence. Participants reported:

**My employer keeps in touch to keep me up to date with staff vacancies. I've applied for another post and I'm just waiting to hear if I've got an interview. [Private Sector]**

**I was kept informed of what was happening in work when I was on maternity leave. I got letters about various career opportunities. I was able to work some KIT days. I had some problems arranging child care but was able to talk things through with my manager and there was no problem in getting my hours changed. [Public Sector]**

**I can use 10 Keeping in Touch Days and I'm keen to use them so I don't feel strange when I go back. [Private Sector]**

## Support Shown by Employer on Return to Work

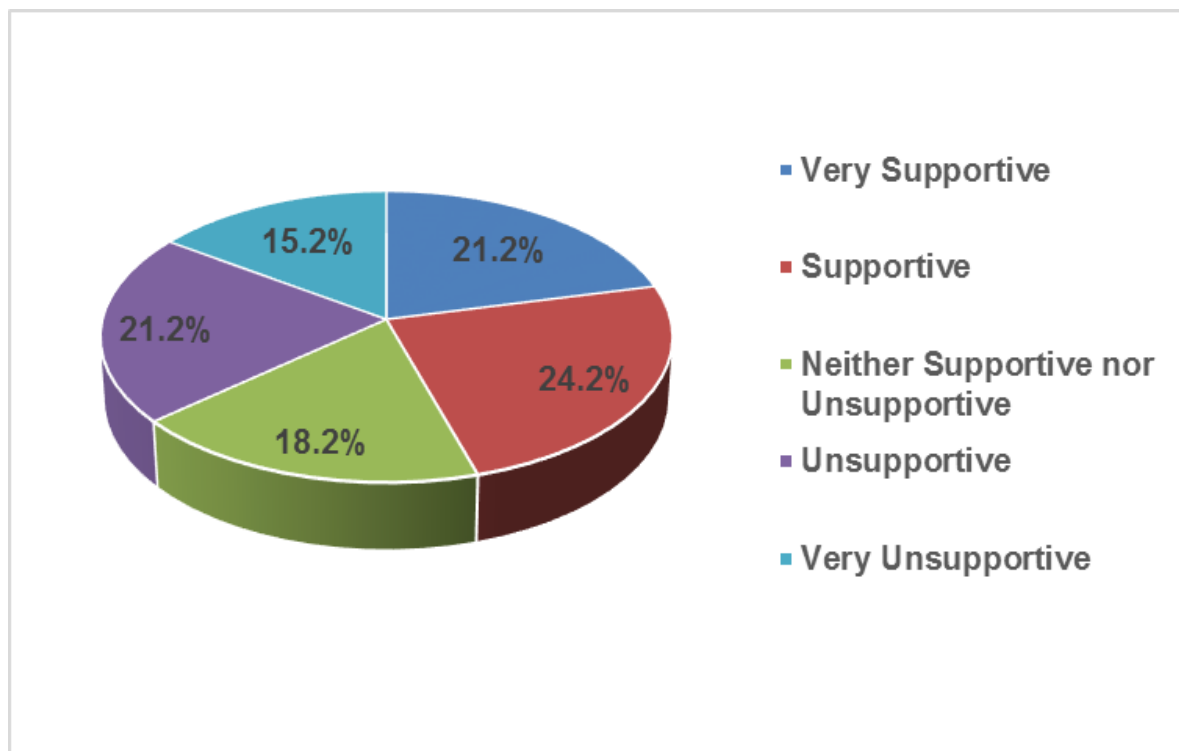
Similar numbers of participants who had returned to work following the birth of their child believed they had been either supported by their employers to reintegrate back into work [N=15] or felt that they had received no support [N=12].

A greater proportion of participants felt that they not been supported at this stage than at any other and may be explained by the fact that some participants felt that they had to leave their employer or were made redundant shortly after their return. Of the 33 participants who had returned to work just 23 remained employed.

Approximately one in six participants believed that they were neither supported nor unsupported [N=6].

The chart below shows the percentage of participants who rated their employer as supportive or unsupportive on their return to work.

**Figure 38: Employer Supportiveness on Return to Work**



There is disparity between those who participated in focus groups and the online survey results in which fewer women believed their employers to be unsupportive on their return to work [17.5%].

Focus group participants characterised employer supportiveness following return to work as actions which allowed them to ease back into the workplace and to combine family and work life:

- family friendly policies
- accommodating flexible working
- opportunity to work a phased return

Employers who had family friendly policies and who accommodated flexible working arrangements were viewed as supportive and employees felt valued. Focus group participants were also aware, however, of the importance of buy-in from senior management, of clear communication of policies and of line management who will apply the policies appropriately.

Flexible working arrangements enabled participants to combine work and family life, and in some cases enabled participants to afford costly childcare arrangements. More than half of the focus group participants had reduced their working hours following the birth of their child. Where good relationships with managers existed, participants were encouraged to be flexible and work with their employer to meet the fluctuating needs of the business.

However, participants thought that more could be done to assist women returning to work particularly for those who had taken Additional Maternity Leave or who had not been able to use KIT days. Some women believed that they should have been better supported with reintegration to the workplace, which they found stressful. They would have appreciated a phased return and realistic expectations around workload initially.

Policies which assisted women who wished to continue breastfeeding following their return to work were viewed as invaluable in enabling them to return.

The following experiences of focus group participants show the ways in which policies enabled them to feel supported by their employer during pregnancy and maternity and to return to work. Participants reported:

**My job involves long hours and certain times of year are more pressurised than others. I returned to the same job but on a reduced hours basis which is fairly flexible on both sides. My hours are arranged around the particular needs of the job so I can meet the needs of the busier periods. [Private Sector]**

**I went back to work when my baby was five and a half months old following a period of sickness with Post Natal Depression. I went back to the same post and was allowed to return on a phased return basis using my annual leave. This helped me get back in to work, otherwise I don't think I could have returned. [Private Sector]**

**My request for reduced hours was approved. The breast feeding policy enabled me to return to work earlier than with my first child. My workplace takes pride in their work life balance policies and put a lot of effort into achieving employer awards. Having good policies in place and good line management to implement them assists women. It has helped that there are women in senior positions where they can influence policy. [Public Sector]**

### **The importance of employer supportiveness**

Some occupations can present greater challenges than others for pregnant women and mothers. The following focus group participants, both Public Sector employees, reported that without their employer's support and willingness to make adjustments they would not have been able to remain in work during pregnancy or return to work.

There were, however, aspects which were less supportive; mainly organisational policies. For these particular participants these aspects resulted in one employee changing their employer while the other went through a grievance procedure.

**Participant C reported:**

**I work in a male dominated environment but my male colleagues were really supportive and work was flexible.**

**I was given a health and safety risk assessment and I wasn't allowed to do any physical training and was moved from certain duties so that I wouldn't need to do any heavy lifting. I had to sign a disclaimer as I didn't want to move to a desk job. I wanted a job where I could move around.**

**I was able to attend my antenatal appointments and on maternity leave I was able to do KIT days; these were unpaid but really useful for keeping up to date with any changes.**

**On return from maternity leave it helped me that I went back to same Company and I was eased back to fitness through rehab.**

**I think my employer has good policies in place which work well for women. If anything they may be a bit over protective but that might just be a personal thing. I did eventually leave because they are exempt from flexible working legislation and the lack of notice for moving around is difficult when having to organise a family.**

**Participant D reported:**

**I found that my workplace had improved over the years and by my most recent pregnancy they even provided a separate private room for breastfeeding mothers.**

**It was practice to move pregnant employees to less "risky" duties to office based work. I was happy to move to a desk job but I still had to [do work] which made me feel vulnerable.**

**I do think that the nature of the job puts pressure on women to let their employer know about pregnancy earlier than they are really comfortable with.**

**I found some treatment bad and took a grievance against my employers whenever merit points were taken away from me because of pregnancy related sick absence. I lost out on transfers I wanted because of this. The points were eventually reinstated.**

## 5.4 Negative employment experiences

Focus group participants' experiences included potential unfair treatment and disadvantage as a result of their pregnancy or having taken maternity leave. Similar to online survey respondents, on occasion they encountered negative attitudes, a lack of consideration of risk to health and safety, a lack of flexibility and, in some cases, loss of employment.

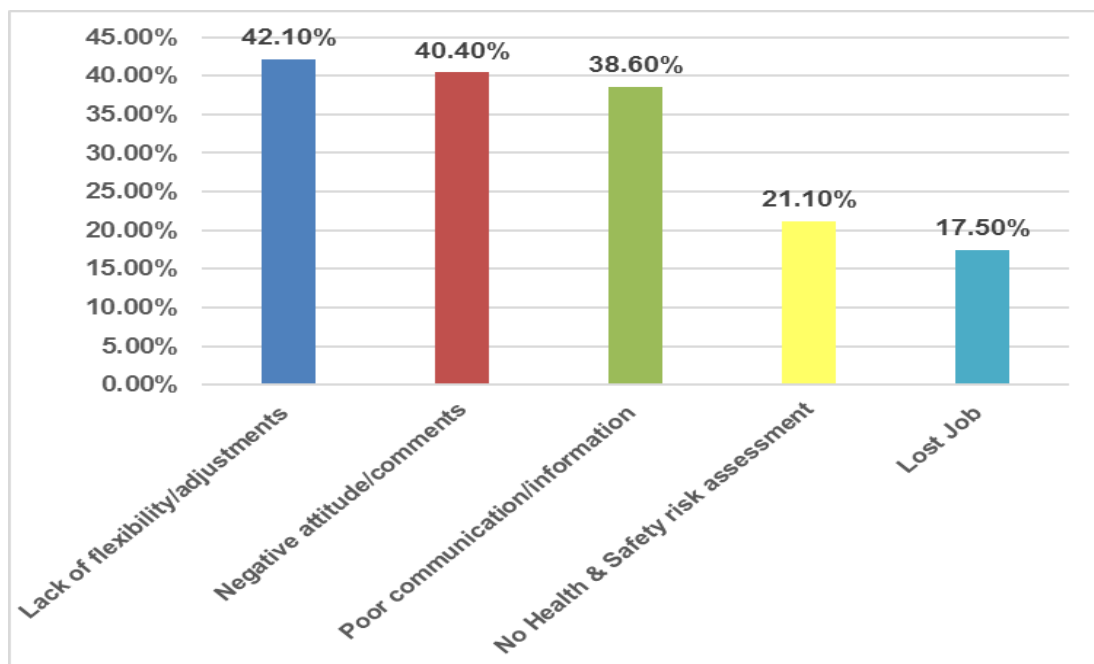
The following are the most common themes of negative employment experiences related by focus participants and are similar to the most common experiences reported by online survey respondents:

- Negative attitudes and comments
- Failure to consider flexibility
- Failure to consider risks to health and safety
- Poor communication/information provision
- Loss of job

The following less commonly reported themes also reflect the experiences of survey respondents:

- Denigration of work
- Sidelined

**Figure 39: Most common negative employment experiences of focus group participants**



## Negative attitudes and comments

Two in five of the focus group participants said they had experienced negative attitudes and comments from managers, colleagues or senior executives during their pregnancy and on return to work [N=23].

Participants who experienced negative attitudes and comments felt that they were no longer regarded as valuable members of the team and that they were being penalised for starting a family. They felt belittled by the comments and vulnerable to job loss.

Participants felt that negative attitudes to pregnant employees and working mothers could effectively halt their career progression. One participant described how the negative attitude of senior management affected female employees in her area of work. She reported:

**I moved from private sector employment to public sector employment as there is no place for women with children in private practice. It is a close knit community in Northern Ireland and you could end up finding it difficult to get work if you raise issues. It could damage your career.**

**I was prepared to take a cut in pay for better job security and deliberately moved to the public sector. However, my Head of Department was notoriously negative towards flexible working. The policies are there but just not implemented. Most people just don't ask. I was determined though and negotiated reduced hours before I went on Maternity Leave because then there would be no uncertainty. I did sense an attitude change though; like I was letting him down or wasn't committed to my career. Flexibility was trade-off for promotion- I knew there would be no career progression for a while.**

Participants related that it was assumed they would no longer be focused on their career and they were blamed for costing the business money. They described how such attitudes have led to them being sidelined; having their work denigrated, hours reduced and responsibilities removed. On return to work, participants received negative comments about breastfeeding from managers and colleagues. In some extreme cases the negativity led to participants being excluded from the workplace and had an impact on health.

Focus group participants working on zero hour contracts or through agencies felt particularly vulnerable. Others thought their employer's attitude towards part time workers meant that they would have no career progression. For some participants this led to redundancy or the decision to leave their job.

The following participants' experiences relate how they believe that negative attitudes have impacted on their careers and ultimately their finances. Participants reported:

**I worked full time on a production line, 5 or 6 days a week from 8am or 9am to anywhere between 3pm and 6pm depending on how much work there was that day. From the moment I told my supervisor I was pregnant my hours were reduced to just 1 day or even half a day each week. I was moved to another production line where they always worked a shorter day. [Sector Not Known]**

**The supervisor didn't ask what I wanted to do. I was just moved. Sometimes I got to speak to the supervisor and asked to be given more hours. I could have worked between the two production lines and kept my hours up. In the end I didn't have enough hours for Statutory Maternity Pay. I think they reduced my hours so that I wouldn't be entitled to SMP. [Private Sector]**

**After 3 months back at work and with no prior warning I was told I was to be made redundant. My job was basically downgraded while I was on Maternity Leave so that my maternity cover, who is not qualified, could be kept on in my role. The whole experience has made me doubt myself. I was vulnerable when I went back to work and they treated me badly. [Private Sector]**

**My employer has a very negative attitude towards sick leave. He was happy that I take as long as I want for maternity leave as long as I didn't take sick leave. I suffered from postnatal depression following my first pregnancy and his attitude was that I was costing him a fortune. This influenced my decision to take a longer maternity leave than I really wanted for my most recent pregnancy. It was less stressful. His attitude is well known but I didn't want to rock the boat and be singled out as a trouble maker. [Public Sector]**



## **Failure to consider flexibility/health and safety adjustments**

One in five focus group participants stated that their employer failed to conduct a Health and Safety risk assessment [N=12]. Two in five participants experienced a reluctance to make the adjustments necessary for them to be safe or comfortable at work or to enable them to return to work on a flexible working pattern [N=24].

Participants whose health and safety was not taken into consideration felt that they were not valued as an employee and that the lack of concern shown by employers, some of whom refused or were reluctant to consider risk to health and safety, caused them stress and anxiety. This perpetuated absence from work in some cases.

Adjustments to work duties were mainly required during pregnancy and some focus group participants felt that their employers ignored the fact they were pregnant, or justified a lack of flexibility through comments about pregnancy not being an illness. Those who were absent from work as a result also thought that employers did not believe they were genuinely ill or had genuine concerns.

Participants were concerned about their return to work as they believed their employer would fail to offer any flexibility to ease their return. Some had been pressurised to return early during maternity leave and some thought they were expected to “hit the ground running” on return to work and this had added to the anxiety and stress that was already felt in leaving their child.

These employment experiences impacted on decisions made by participants. Some participants who did not have their requests for flexible working arrangements approved, or who believed that there was no point even submitting a request, did not return to work for their employers or left shortly after their return. Participants stated that they could not afford the costs of full time child care.

The following experiences of participants highlights the impact on health and future careers. Participants reported:

**During my pregnancy I worked as a carer in both the public sector and the private sector. I suffered from morning sickness in the morning but also in the evening. My public sector employer was understanding and would ask if I was feeling ok, but my private sector employer just told me that pregnant women don't get sickness at night time. I didn't return after maternity leave to that employer. [Public and Private Sector]**

I had a risk assessment carried out but it turned out to be just a paper exercise, none of the actions were implemented. I was under so much pressure to be in work that I eventually went into labour in work. Following maternity leave I had to take a further 6 months' unpaid leave because there were no adjustments for facilitating breastfeeding mothers. [Sector Not Known]

I worked long hours during my pregnancy with overtime on a rota basis. There were no concessions to my situation. I went into labour early, at 30 weeks, and I was physically ill after the birth. It was difficult getting part time hours approved and I felt little support when I returned. I was back for a while before going off with mental health problems. It was then that they started to implement policies. I had to attend meetings, often with little notice, and I wasn't advised that I could be accompanied. It all affected my mental health and I couldn't pursue it any more. I had to leave work. [Public Sector]

I had worked as a restaurant manager for 5 years for the same employer.... I asked for a risk assessment but this was never done. Measures could have been put in place to assist me but I ended up going on Maternity Leave a month before I really wanted to. If there had been consideration of my health and safety, I think I could have stayed in work longer. [Private Sector]

At 24 weeks pregnant I had to attend A&E. I was off work for 3 or 4 days and my manager pressurised me to return. She made her displeasure clear that I had taken time off and I felt under pressure to improve my attendance as I did not want to lose my job. Working at self-service tills I was on my feet all day. I worked from 8am to 12.15am one day a week. I had low blood pressure but my manager refused to change my duties or allow me to sit. I had to go on maternity leave earlier than I really wanted to. I think my manager could have done more to help. I did not return to work there. [Private Sector]

I was mostly office based but I was expected to go out to sites. There was no risk assessment was done. I was asked to climb ladders and go out on all day surveys at a late stage in my pregnancy with no access to facilities. I was supported by a senior colleague and was able to refuse. I think they were trying too hard to treat me as if I wasn't pregnant that they ignored the fact that I was pregnant. [Private Sector]

**I worked as a factory operative and when I became pregnant I developed severe back problems. I was on my feet all day and even though I was meant to sit down regularly they did not provide me with a chair. I was entitled to an additional 15-minute break but I didn't get the chance take it. I was only allowed toilet breaks at break times even at the later stages of my pregnancy. I had to go on maternity leave earlier than I would have liked. I returned on part time hours but my back pain got severe and I was signed off sick. I ended up losing my job because they couldn't find any suitable position for me. [Private Sector]**

**My employer wanted me to come in during my Maternity Leave to train up staff. They are always asking when I am coming back. They are aware when my Maternity Leave finishes and that I am using some annual leave at the end of it, but they are asking me to come back 2 months early. This is making me anxious about going back to work. [Private Sector]**

**I requested part time hours for my return to work and was called in for an interview where I was told that my application had been refused. They gave me the standard replies as per the legislation and I don't think they seriously considered my request. I was offered various full time positions, all late night shifts which coincided with my husband's shifts and didn't suit me because of my baby. I decided to leave and then they told me I could be a casual employee. This was less pay, less security and irregular days but I needed the money. I accepted but in the end I had to leave as it was too difficult to arrange child care which wants regular days. [Private Sector]**

**I did not go back after my second child as I wanted part-time hours and I knew that my employer did not approve part time work. It wasn't worthwhile making the application. [Private Sector]**

## Poor communication/information provision

Almost two in five focus group participants identified that communication or information provision could be problematic at all stages [N=22].

Participants stated that employers failed to inform them of their entitlements or that they were not made aware of company policies.

Some participants, who experienced an absence of communication while on maternity leave, felt isolated and vulnerable. On the other hand, unwelcome contact was described as stressful and increased anxiety about their return to work. These situations may have resulted from a lack of discussion between the participants and their employers about the acceptable level of contact expected while on maternity leave.

Participants who were unable to contact their employers while on maternity leave thought that their employer was deliberately avoiding communication with them; particularly when they were trying to make arrangements for a return to work. For some participants this meant that they were unable to confirm approval of flexible working requests making it difficult to finalise childcare arrangements. One participant recommended ensuring that flexible working arrangements were approved before going on maternity leave to avoid the stress of this situation. However, not everyone was in a position to do this.

Some participants complained that a lack of preparation for cover for maternity leave resulted in constant contact during their leave with queries about work or that they were put under pressure to return early to work. Such preparation is necessary to assist both the employer and the employee to avoid unnecessary communication during maternity leave.

On return to work some participants felt that communication could have been improved and that they should have been updated about changes made in their absence.

The following experiences highlight the usefulness of agreeing methods of communication and a reasonable level of contact prior to maternity leave. Participants reported:

**I work full time in a children's day care centre. My employer was good in that they carried out a risk assessment and made the necessary adjustments to my work. I felt that they were supportive. I would like to go back to work soon but I'm finding it difficult to speak to my employer**

**and I think they are avoiding my calls. I feel like they don't want me to come back. It's very unprofessional and I'm looking for another job. [Private Sector]**

**During my maternity leave there have been constant calls from my maternity cover. I had said to him to call if he needed anything but the calls have been constant and not urgent.... Sometimes I'm just too tired. [Voluntary and Community Sector]**

**I was not contacted by my employer at all. I sent a text message to let my boss know I had my daughter and he replied "who's this?" I felt marginalised not just work wise but socially as well. [Private Sector]**

**Before I left on maternity leave I was aware that there was going to be some reorganisation. Changes were made while I was off but there was no information about what impact this would have on my job. In the end it was colleagues and not managers who kept me informed of positions that I could apply for. Interviews were taking place during the last 3 months of my maternity leave and it was very stressful trying to meet the tight recruitment schedules. [Public Sector]**

**I'm due to return to work in a few days but I'm finding it difficult to contact my employer about my return to work. Before I left on Maternity Leave I had an informal agreement to reduce my hours and a part time post had been identified, on the basis that my full time post could be advertised. I've completed the paper work but have had heard nothing. It's really stressful because I've seen my full time job has been advertised. I think I'm being pushed out and that they are avoiding my calls. [Private Sector]**

**There had been major changes when I was on maternity leave. I returned to a new manager and new colleagues. On my first day back my manager said that I must have plenty to be getting on with when in reality it was all unfamiliar and daunting. The others had had time to adapt to the changes gradually; I was hit by them immediately. I would have liked better communication and more guidance. It took more than a year before I felt settled and it affected me emotionally. [Public Sector]**

**The only complaint I had was that I was expected to hit the ground running. There were no welcome back meetings, no "getting you up to speed" meetings. There should be something in place which familiarises returning mothers with the workplace once again. [Public Sector]**

## Loss of employment

Almost one fifth of the focus group participants lost their job or felt that they had to leave their employer due to their negative employment experiences [N=10].

Some participants were discouraged from returning to work due to the lack of support provided by employers during their pregnancy. However, even where employers had previously shown support, unwillingness to accommodate flexible working arrangements gave some participants little choice but to seek alternative employment. Other participants stated that they left their employer following a noticeable change in attitude towards them.

Some participants believed that their employer used their absence from the workplace on maternity leave to make changes that ensured they would not have a position on their return.

Below are some examples of the experiences of focus group participants and the reasons why they left their employer or became unemployed.

### **Participants who believed that they had experienced unfair treatment and/or their employer was unwilling to accommodate flexible working arrangements reported:**

**My employer had no maternity policies. No risk assessment was carried out for me and no discussion about any adjustment to duties. I had raised some holiday pay issues with my employer and after this I received a warning about pregnancy related sick absences. Changes to procedure for reporting absences had been made when I was off and I wasn't aware of them. I think they were finding any excuse to discipline me. My employer's attitude to my pregnancy was very negative. I was told I wasn't entitled to Statutory Maternity Pay when I was. The stress wasn't worth the pay and I didn't return to that work. [Private Sector]**

**My manager threatened me with disciplinary action [for pregnancy related sick absence] and from then on I felt under pressure to improve my attendance. I didn't want to lose my job. I was on my feet all day at work, sometimes I felt faint but I wasn't allowed to sit or to change jobs.... I was exhausted.....My manager contacted me constantly while I was on maternity leave as no-one had been trained up to cover my absence. I couldn't go back to that job: the treatment was awful and my manager wouldn't approve my request for flexible working. [Private Sector]**

**My experience was a nightmare. I wasn't allowed any extra breaks and antenatal appointments were only allowed if I used my annual leave. I was carrying twins and at work I was on my feet all day. I had to go on maternity leave at 26 weeks. I couldn't go back to that employer. [Private Sector]**

**I was only in my job for about 3 months when I discovered I was pregnant. I immediately felt a change in attitude towards me. They lost interest in me. My training was put on hold, there was no further guidance to help me do my job and less and less work was being passed to me. I reduced my hours because there wasn't enough work for me. This made me feel even more marginalised. [Private Sector]**

**When I returned I discovered that my maternity cover, a new recruit, was now my manager and my original manager had been promoted. I had no idea that there were any promotion opportunities..... I was not included in training, conferences or work related social events. I lodged a case with Tribunal and it was settled out of court. My employer shouldn't have sidelined me. It's important that employers communicate and listen to pregnant employees to find out what they need, what their plans are. I now work for a family friendly employer. [Private Sector]**

#### **Participants who were made redundant or dismissed reported:**

**I worked for a small [...] firm for several years when I became pregnant. ... Some aspects of my work should have been assessed for risk but they weren't and there was no conversation about what I could or could not be reasonably expected to do. There was some flexibility which enabled me to work right up to my maternity leave; I used annual leave to reduce my working week. I had agreed that I could come back to work on part time hours... On my return to work I felt a change in atmosphere. My duties changed. I was given the job of tying up projects which were coming to an end. The maternity cover, who was not fully trained, was carrying on my projects under supervision.**

**After 3 months I was called into the office and was told I was redundant. There was no prior warning and I was told to leave the office that day. I was allowed back a week later to collect my things. I think my maternity leave gave my employer the opportunity to effectively downgrade my job to a technician's post but I was not told of any reorganisation. The whole experience has made me doubt myself and my abilities. I was vulnerable when I returned after maternity leave and they treated me badly.  
[Private Sector]**

I had been working at the same place for 13 years when new owners took over. This was just before I became pregnant and the new owners didn't know me at all. .... I was on maternity leave for 6 months and I felt 'frozen out'. I called into work to discuss my return and I felt a negative atmosphere. I agreed part time hours but 4 months later they told me I wasn't needed any more. They had employed 3 chefs during my absence and my job had been given to them. During those 4 months I had felt unwelcome and sidelined. [Private Sector]

My manager's reaction to my pregnancy was 'Holy f\*\*\* They're full of s\*\*t and vomit'. There was a complete change in attitude towards me when I was on maternity leave- a complete 'shut down'. Five months into my leave I was called in for a meeting which turned out to be notification that I had been selected for redundancy. I was offered one of two posts in Great Britain. I got no information about how I was selected or the pool, or indeed any reasoning behind the need for redundancy. I took a Grievance which went to Appeal. I can't afford to go to Tribunal but I feel a huge sense of relief now that I've made the decision not to pursue it and just to enjoy time with my baby. [Private Sector]

I worked in a bakery via an agency. Once they found out I was pregnant I was told there was no work for me and I was asked to leave immediately. The agency did not find me alternative work. I had no income and no access to benefits. I took advice and lodged a sex discrimination case against the agency and the manufacturer. I settled out of court. [Private Sector]

When I was on Maternity Leave I ... received a 'phone call out of the blue one Friday. I was read out a formal letter offering me voluntary redundancy and given the weekend to make up my mind. I wasn't given anything in writing and it was too difficult to remember everything that had been read out on the phone...There was no discussion of any options open to me. If it had been handled differently I may have made a different decision but I was vulnerable, stressed and shocked. I took the redundancy and am now finding it hard to find work using my qualifications. [Private Sector]



## 5.5 Individual contributors

A number of women, 5 in total, felt strongly enough about their employment experiences that they personally contacted the Commission to contribute to the investigation and share their individual experience. The experiences shared reflect the evidence from the online survey and the focus groups and also raise some issues particular to the individual's occupation and situation.

Underlying the specific individual issues raised there was evidence of similar issues to those identified by focus group participants and online survey respondents.

A negative attitude towards pregnancy and working mothers was seen to be a problem for the women who had been made redundant from their jobs. For some this was down to managerial attitude and for others this was a wider organisational problem, where they believed pregnant women were seen as a burden to the organisation or where organisational policies made working life more difficult for pregnant women. Such policies were said to come from an organisational attitude where "equal treatment" means ignoring the needs of pregnant women and making no allowances, whether it be in the adjustment of duties or managing absences. One of the women identified policy which penalised employees who worked reduced hours as being discriminatory against women and designed to deter requests for flexible working.

There were women who believed that the negative attitude was more personal and that their managers used their pregnancy as an opportunity to undermine, sideline and in some cases get rid of them.

The experiences described have impacted on the women personally, in that they describe how their self-confidence has been diminished, and financially, in that they either are no longer employed or they cannot get a new job of the same standard. They reported:

**I had been made redundant from my previous employer within 3 months of returning from maternity leave. My maternity cover had been kept on. .... the psychological impact was truly awful and it has taken and is still taking me time to regain my confidence. To date I have not managed to reach my previous level of earnings either and currently earn about 2/3 of my salary prior to pregnancy. [Private Sector]**

**There are policies in place but in my experience the attitude is that pregnant women are a burden and that “equal treatment” means making no allowances for pregnant women in the workplace. I did not want to complain at the time because I worried about the treatment I would get if I complained. [Public Sector]**

**My performance appraisal was held later than other staff and my objectives had not been updated for 5 years and referred to my previous job role. Nevertheless, my line manager assessed me against these objectives. I was told at my appraisal that I wouldn't be getting the standard 1% pay rise. This was because I had not achieved one objective – an objective which should have been reviewed and not taken into account. [Private Sector]**

**When I returned back to work on the date planned prior to me going off, my maternity cover was kept on. I was excluded from several high profile projects and my direct reports were instructed not to tell me what they were working on! I was made redundant within 3 months of returning to work. [Private Sector]**

**The flexible working options offered by my employer are designed to the detriment of mothers who wish to work part time. Currently I have a variation of contract but there is no option to extend this. My only options are to take a reduction in pro rata pay as a part time employee or to return full time. If I remain part time, there will be changes to my contract which are detrimental both financially and in the hours offered for work. I would change from being paid on an annual salary basis to being paid on an hourly basis at a lower rate. This would mean I earn £10k a year less doing the same job and working the same hours. This is not equal pay for equal work and indirectly affects women more than men. [Public Sector]**

## 6. Employer Responses to the Online Survey

This section considers employers' responses to the online survey and aims to identify the issues surrounding managing pregnancy, maternity leave and return to work which challenge employers. The number of employers who completed the survey was 58 only.

### 6.1 Summary

- **Employers were invited to share their experiences of managing pregnancy, maternity leave and return to work following maternity leave and to identify issues which challenged their organisation.**
- **Participating employers mainly represented the Private Sector [72%] and small to medium size businesses. Just one in five of the organisations employed 500 or more employees [21%].**
- **Almost three in four employers [73%] were content that they had access to information about their responsibilities towards employees and the majority had appropriate policies in place to manage pregnancy, maternity leave and return to work.**
- **Around two in five employers found it a challenge to keep up to date with changes to legislation [38%].**
- **Some issues were always or often challenging for most employers. These were the most challenging issues for employers across employment sector, industry sector and size of organisation.**
  - **managing the impact of employee absences during pregnancy**
  - **the time and costs involved in arranging and training cover for maternity leave**
  - **accommodating flexible working requests on return to work.**
  - **creating a positive culture around flexible working within the organisation.**
- **These challenges reflect the difficulties employers have in resourcing staff absences and ensuring that productivity does not suffer. Issues regarding flexible working were mainly differences between the expectations of employees and the business needs of employers and the incompatibility of flexible working with the nature of the business.**

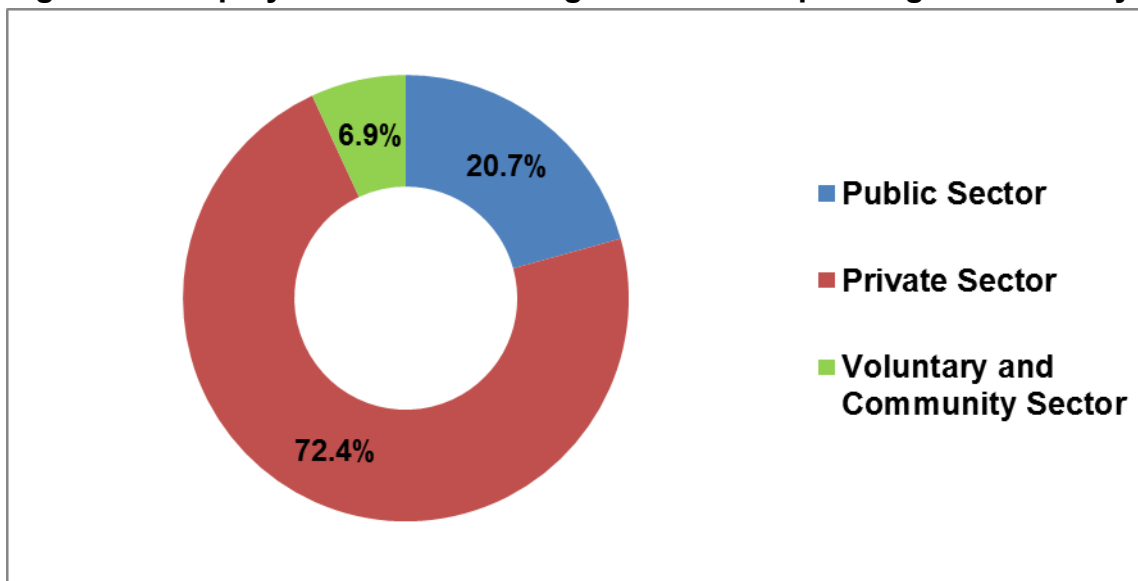
- **Employers' views generally reflected support and encouragement for female employees, with the majority of employers agreeing that they would continue to invest in the employee's career.**
- **Some negative views of pregnant employees and working mothers were expressed: more than one in four employers thought that some women abused their employment rights [29% of 57 respondents]; some employers believed that pregnant women [12%] and returning mothers [17%] were less committed than colleagues, that flexible working did not benefit their organisation [22%] and that it is reasonable for an employer to be wary of employing younger women [16%].**
- **It is apparent that some employers require support to meet their legal obligations to pregnant employees and working mothers. Employers stated that they would like more assistance with keeping up to date with legislative changes and better information about their legal responsibilities.**
- **Mainly small employers were concerned about the effect of absences on the business and difficulties resourcing cover for maternity leave. They would like to see less regulation in the area.**

## 6.2 Profile of Organisations Responding to the Survey

A total of 58 organisations completed the online survey.

The chart below shows that approximately three out of five respondents were Private Sector employers [62.1%/N=38/58]; with fewer Public Sector and Voluntary and Community Sector employers completing the survey.

**Figure 40: Employment sectors of organisations responding to the survey**



As seen in the Table below the majority of respondents employed 100 people or less, with just one in five employers representing larger organisations of 500 or more employees.

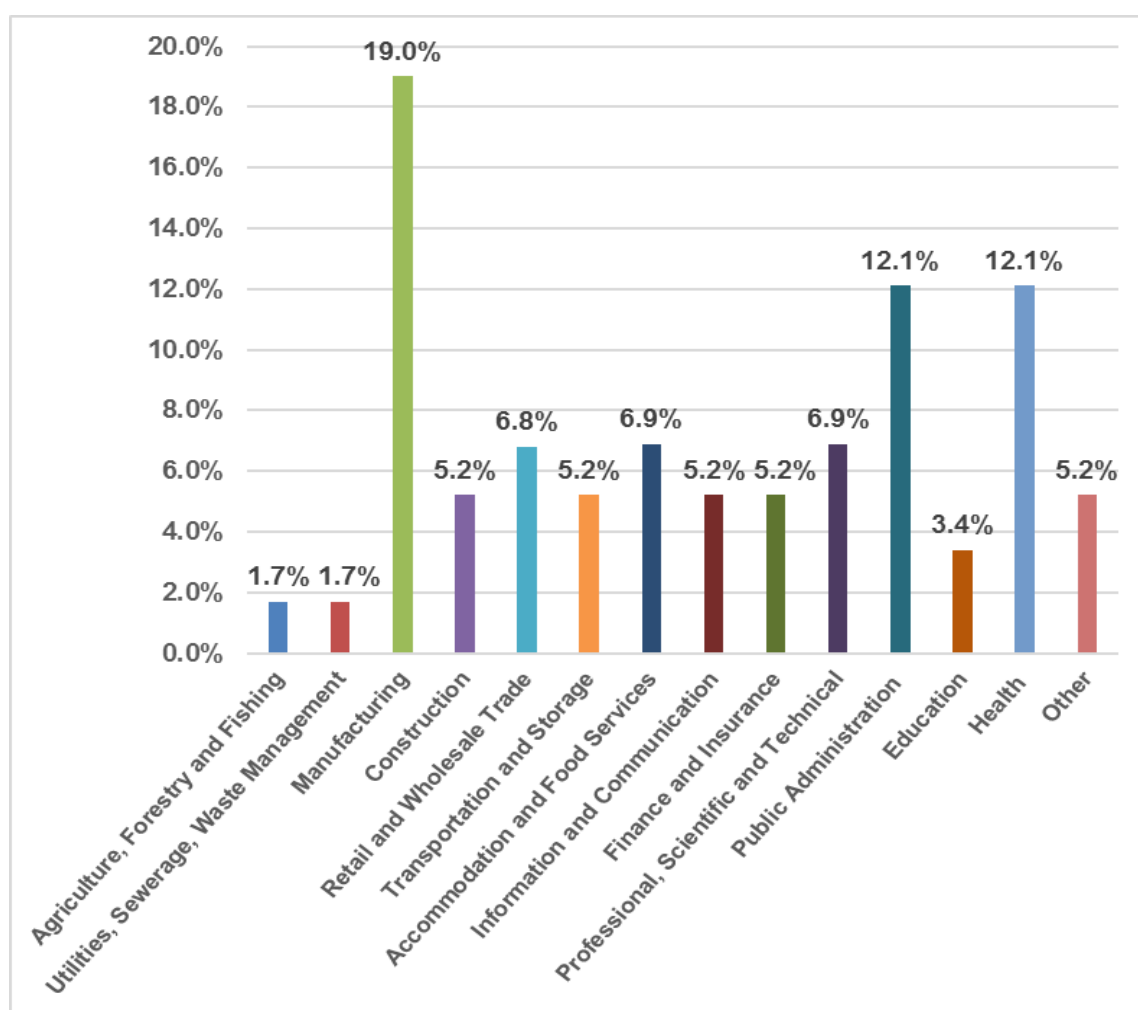
**Table 8: Number of employees: organisations responding to the survey**

Number of employees	Percentage of participants	Number of participants
Less than 5	1.7%	1
5-19	13.8%	8
20-99	37.9%	22
100-499	25.9%	15
500 or more	20.7%	12
<b>Total</b>		<b>58</b>

The chart below shows the industries of the employers who responded to the survey. A range of Industries were represented by the employer respondents, however, the most represented industry sectors were those of Manufacturing, Health and Public Services.

Just one organisation had not managed pregnancy in the workplace within the past 5 years, while some of the larger organisations with a majority female workforce had dealt with more than 100 pregnancies within the past 5 years. Half of the employers who completed the survey had a majority female workforce, while one in ten of the organisations had an equal workforce.

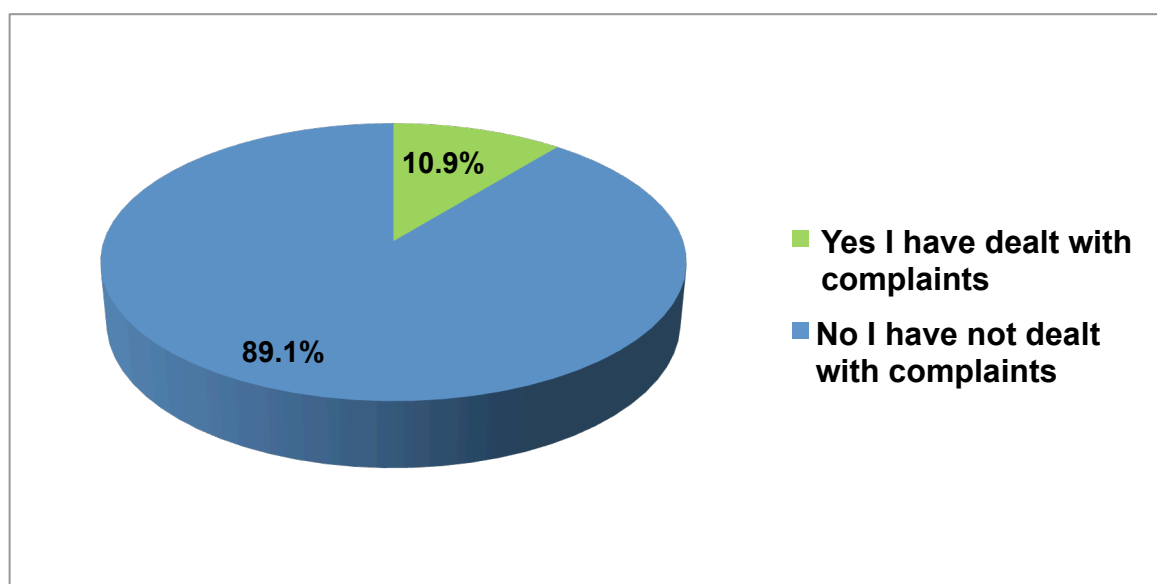
**Figure 41: Main industries of organisations responding to the survey**



## Dealing with complaints

Employers were asked if they had dealt with any complaints from employees and, if so, to inform us of the issues raised. The chart below shows that just one in ten of the employers have dealt with employee complaints regarding issues during pregnancy, maternity leave or on return to work.

**Figure 42: Percentage of employers who have or have not dealt with complaints**



Just six employers confirmed that they had dealt with complaints from pregnant employees, employees on maternity leave or new mothers who have returned to work. The employers stated that they managed the complaints through the provision of information, making adjustments where necessary and negotiation with the employee.

The complaints covered a range of issues such as:

- communication with the employee and provision of information during pregnancy and/or maternity leave,
- making adjustments to enable the employee to continue working during pregnancy and on return to work,
- clarification of employee rights and entitlements
- reconciling maternity leave and/or flexible working arrangement requests with business needs.

These issues correspond with those raised by women participating in the investigation.

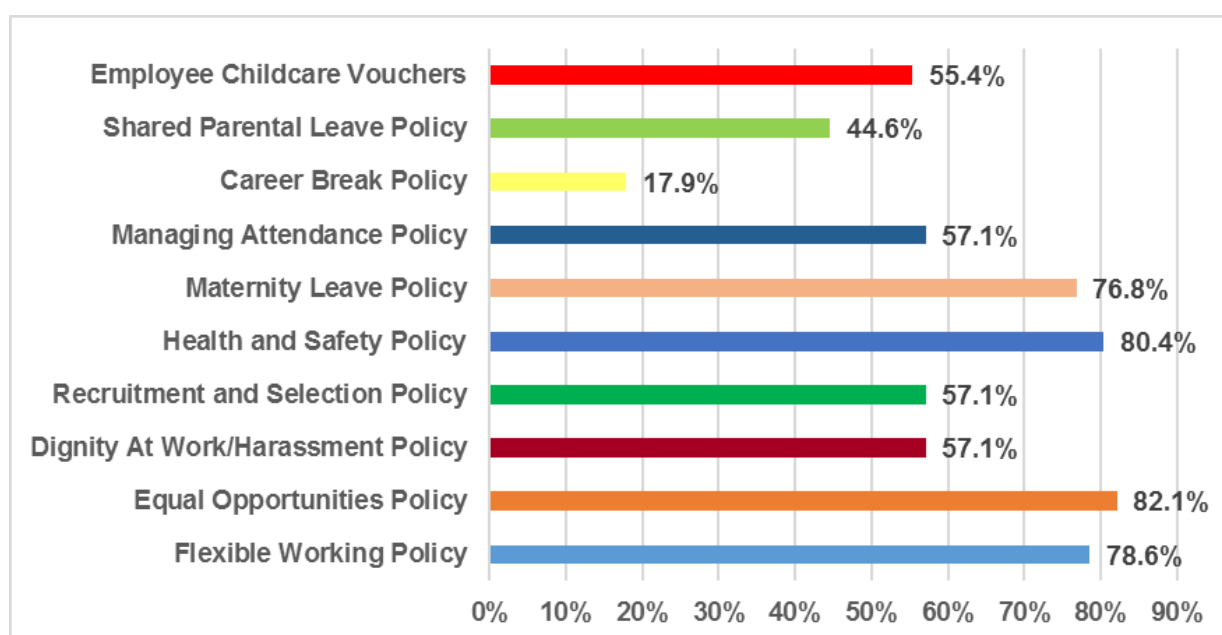
## Policies

The employers were provided with a list of policies designed to assist employers meet their legal responsibilities in relation to managing pregnancy, maternity leave and return to work as well as providing equality of opportunity for pregnant employees and working mothers. Employers indicated which of these policies were implemented by their organisation.

The majority of employers indicate that they have the policies and practices in place to manage pregnancy, maternity leave and return to work. In addition, the majority of employers state that they have an Equal Opportunities Policy and more than half of the employers offer assistance with childcare costs through an Employee Childcare Voucher Scheme.

It is noticeable however, that not all employers have some key policies in place which provide support to pregnant employees and working mothers. A small number of employers indicated that they do not have, for example, Health and Safety or Flexible Working Policies. A greater number of employers do have policies setting out how they will manage attendance in relation to pregnancy related sickness absence or deal with harassment in the workplace. Issues around health and safety risks, receiving inappropriate comments from managers and colleagues and treatment of pregnancy related sick absence were raised by women participants.

**Figure 38: Percentage of organisations with policies/practices for pregnancy, maternity leave and return to work**

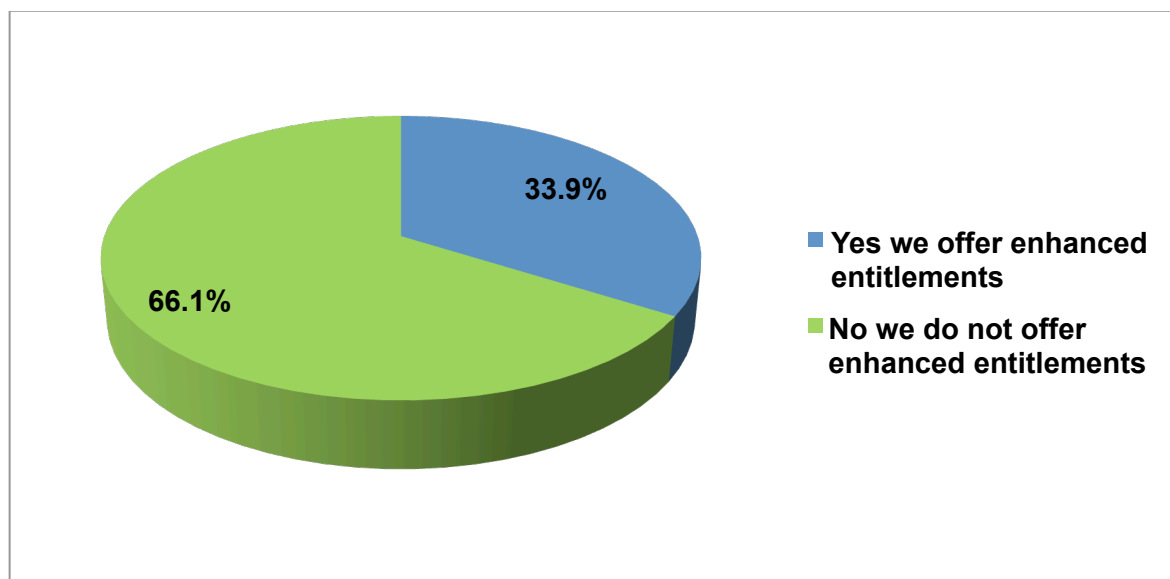




## Employers offering enhanced maternity entitlements

Employers were asked if they offered more than the statutory maternity entitlements to employees and, if so, to identify those entitlements. The chart below shows that one third of employers provide enhanced maternity entitlements.

**Figure 44: Percentage of employers offering statutory entitlements or enhanced entitlements N=56**



Two thirds of the employers offer statutory entitlements only, with proportionately more of these employers being Private Sector [N=33 out of 42 respondents] and organisations with less than 500 employees [N=12 out of 45 respondents].

One in three employers [N=19] who offer more than statutory entitlements mainly offer enhanced maternity pay: either enhanced pay for all employees or enhancements based on the grade of the employee or length of service.

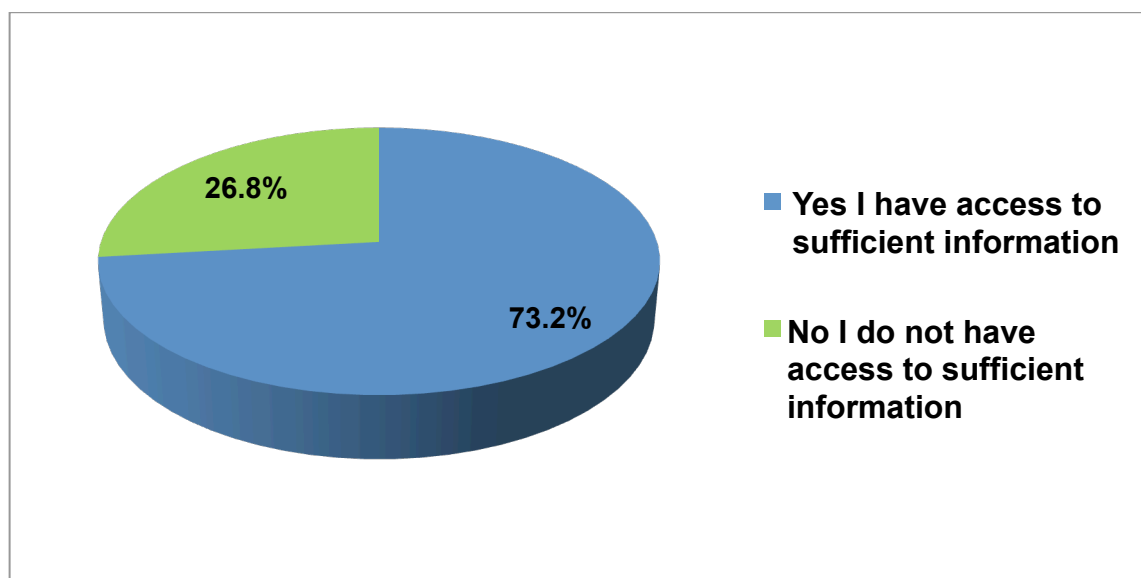
However, further incentives are offered by some employers to encourage new mothers to return to work and to remain with the organisation. One employer offers new mothers a phased return on full pay and another offers a bonus payment to women who return following maternity leave and remain for at least seven months. The opportunity to return to work on a phased return basis was appreciated by women participants as a way in which they could ease back to work and for some to initially manage child care responsibilities.

## Information Available to Employers

Employers were asked if they thought they had access to sufficient information about their responsibilities towards pregnant employees and mothers and to detail where they sourced their information.

The chart below shows that the majority of employers believe they have sufficient information about their responsibilities towards pregnant women

**Figure 45: Percentage of employers with sufficient information about their responsibilities towards pregnant women N=56**



The vast majority of employers believe that they have access to sufficient information about their legal responsibilities towards pregnant employees and mothers [N=41].

One in four employers disagreed that they had enough information. These employers are in all employment sectors and are all sizes of business; however, proportionately more organisations with 500 or more employees felt that they would like access to more information [41.7%/N=5 out of 12 respondents].

The employers obtained their information from a range of sources online, such as Labour Relations Agency Guidance, Equality Commission Guidance and other government websites, as well from their own Human Resources departments, legal advisors and business networks. However, employers commented that although there is information available they would appreciate better guidance which pulled

together the complexities of everything they need to know. They would also appreciate training in the area.

This is something which the Federation of Small Businesses highlighted in their submission to the investigation. Small businesses may not have access to dedicated Human Resource or legal advice and they face difficulties because the legislation does not specifically take the small businesses sector in to account but is rather framed with large business in mind.

They stated that for small businesses the complexities and perceived complexities of employment legislation, particularly legislation in relation to maternity leave, can act as a barrier to growth. Small business would like to have guidance which they can practically apply. The submission states that:

**“In 2014, 80% of members said that they intend to grow their business in the next two years. Unfortunately, it seems that employment law, or at least the perceptions of it, actually deter and discourage growth.”**

### 6.3 Challenges associated with Managing Pregnancy, Maternity Leave and Return to Work

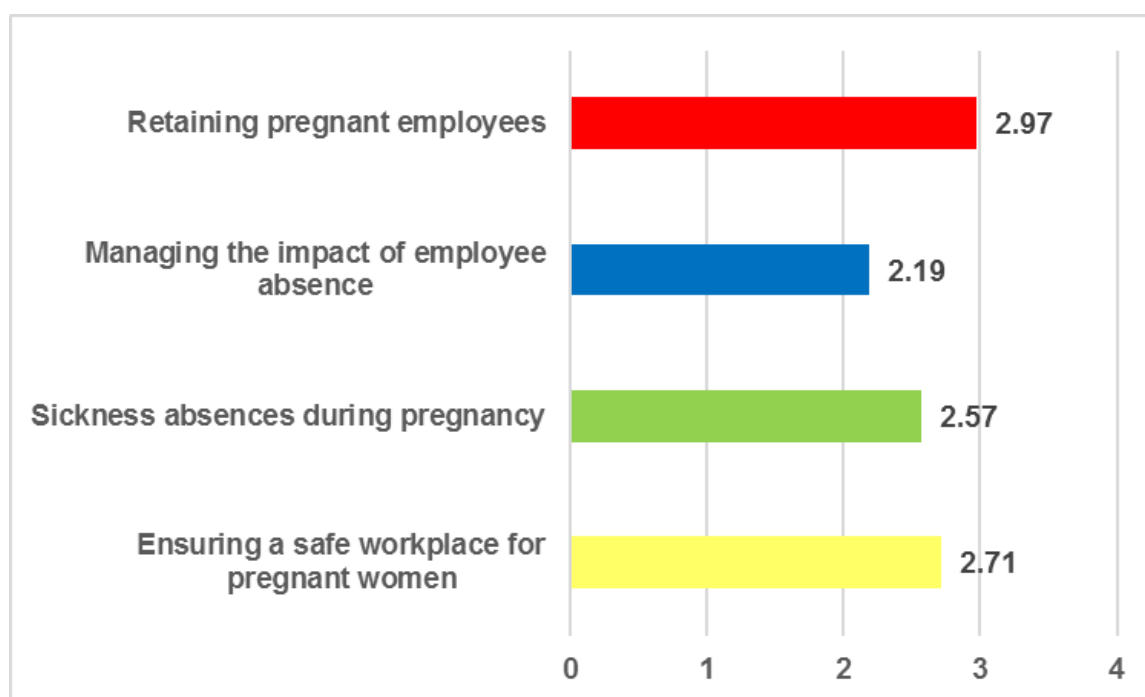
#### Challenges associated with Managing Pregnancy in the Workplace

Employers were asked to indicate how often a number of given issues associated with managing pregnancy challenged their organisation on a scale from Always to Never.

The chart below shows the average rating of each issue by employers. A lower average score indicates that a greater number of employers find the issue always or often a challenge, while a high score indicates that a greater number of employers were seldom or never challenged by the issue.

The chart shows that most of the employers were seldom or never challenged by the majority of issues related to managing pregnancy in the workplace. However, with an average rating of 2.19 managing the impact of employee absence always or often challenged more organisations.

**Figure 46: Average Score indicating how often organisations are challenged by issues associated with managing pregnancy**



Score: Always =1 Often =2 Seldom =3 Never =4:

Each of the issues did present a challenge for some employers at some stage. The Table below shows that more than half of the employers found managing the impact of employee absences **always** or **often** a challenge.

**Table 9: Percentage of employers identifying issues associated with managing pregnancy as always or often challenging**

<b>Issue: Always or often challenging</b>	<b>Percentage of employers</b>	<b>Number of employers</b>
<b>Ensuring a safe place for pregnant women</b>	33%	19
<b>Sickness during pregnancy</b>	35%	20
<b>Managing impact of employee absences</b>	55%	32
<b>Retaining pregnant employees</b>	22%	13
<b>Total</b>		<b>58</b>

### **Managing impact of employee absences**

Managing the impact of absences during pregnancy was always or often challenging for more than half of the employers who completed the online survey. These absences may be due to sickness absence, which one in three employers always or often found challenging, or absences for attendance at medical appointments.

Proportionately more organisations with 500 or more employees [N=9 out of 12 respondents] and organisations with 5-19 employees [N=6 out of 8 employees] found managing the impact of employee absence challenging.

Larger organisations may have a greater number of pregnancies to manage at a given time, particularly if their workforce is mostly female while the impact of absence may impact greatly on a small workforce. More than half of the employers who identified this issue as a challenge had a workforce which was majority female [N=19 out of 32 respondents].

### **Sickness during pregnancy**

Just over a third of the employers [35%] believe that they are always or often challenged by sickness during pregnancy. This issue impacts both large and small businesses, however, proportionately a greater number of large business with 100 or more employees report that they are always or often challenged by sickness absences [N=15 out of 27 respondents].

Proportionately less Private Sector employers find sick absence always or often a challenge [N=13 out of 42 respondents].

### **Ensuring a safe place for pregnant women**

A third of the employers [33%] thought that ensuring the workplace was a safe place for pregnant women always or often challenged their organisation.

These employers included Industry sectors such as Health, Manufacturing, Retail and Wholesale Trade and Accommodation and Food Services; work environments which have inherent health and safety challenges. It is notable, however, that of the 19 employers who identified this as always or often challenging, seven employers reported that they did not have a Health and Safety policy.

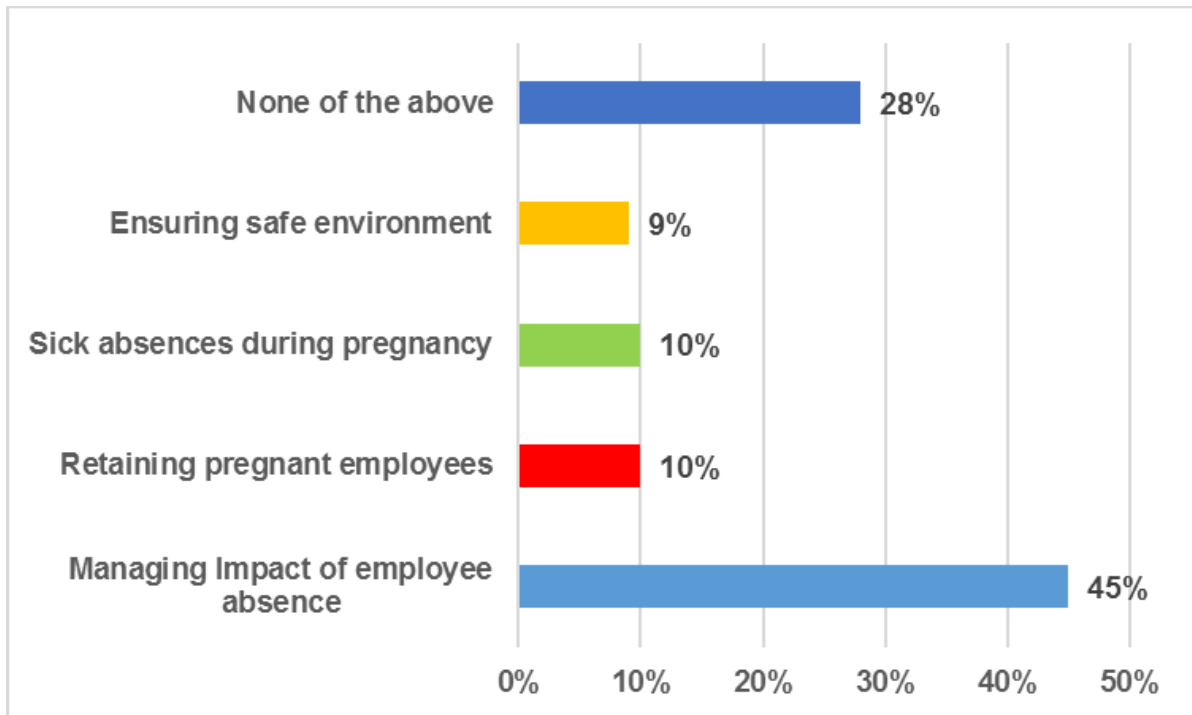
### **Retaining pregnant employees**

Just over one fifth of organisations of all sizes found it always or often challenging to retain their pregnant employees [22%]. Half of the Voluntary and Community Sector employers [N=2 out of 4] found this issue often or always a challenge compared to one in three Public Sector employers [N=4 out of 12] and around one in six Private Sector employers [N=7 out of 42].

## Most challenging issues associated with managing pregnancy

The chart below shows that almost half of the employers identified managing the impact of employee absence as the issue associated with managing pregnancy which is most challenging for their organisation.

**Figure 47: Most challenging issue for employers associated with managing pregnancy**



## Employee absence

Managing the impact of employee absence was identified as the most challenging issue by almost half of the employers [45%]. With one in ten employers also identifying sickness absences during pregnancy as an issue, the challenge for employers may be to continue to meet productivity targets while minimising the impact on colleagues.

Resource issues can create management challenges for businesses which may not only have an impact on output, but which can create resentment amongst other team members who may then be relied upon to meet targets.

It is perhaps unsurprising that proportionately more organisations with fewer than twenty employees thought that managing the impact of employee absence was the most challenging issue they faced [N=17 out of 30 respondents]. However, this may not be a challenge related only to pregnancy, it may also be the case that for businesses with fewer than twenty employees any employee absences will impact on the business.

Pregnancy is an individual experience. Although some women are fortunate enough not to have any medical issues during their pregnancy others may need to take leave at various times. This can be as unpredictable for the individual as it is for the employer and, as such, makes absences difficult to plan for. It should be noted that our survey did not differentiate between challenges posed between periods of short term absences and long term absences.

In addition, the sensitive and personal nature of issues pertaining to pregnancy related sick absences may make it additionally challenging for employers to approach. In particular, sensitivity and compassion is important when employees have suffered miscarriage. Respondents to the women's survey identified treatment during and following absences as an issue and a number of women mentioned, in particular, the impersonal nature of processes managed by contracted out Human Resource functions.

Employers commented that some challenges related to absence from the workplace are caused by a lack of timely action by the organisation. They suggested that it is essential for employers to plan ahead once notification of the pregnancy has been given. Failing to do so can not only create difficulties regarding arranging cover for maternity leave but also for any unplanned absences.

**“...most pregnant women inform employers at around 12-14 weeks into their pregnancy which leaves them with about 4-6 months to arrange replacement cover. Therefore, employers should be encouraged to be practical and not leave arrangements until close to maternity leave starting and be prepared for leave starting earlier than planned due to health of mother or baby.” [Private Sector]**

### **Retention of pregnant employees**

The retention of pregnant employees was identified as the most challenging issue for one in ten employers of all sizes and representing all employment sectors and industries. Returning to work is of course an individual decision and one which is not entirely in the control of the employer. As has been previously reported the majority of employers have a flexible working policy, one employer offers a phased return for mothers and approximately half of the employer offer Employee Childcare Vouchers.



The affordability of childcare was a consideration for women participants, especially those on a lower salary and employers also recognised this. Some employers commented on the high cost of childcare and in addition the lack of childcare options for women who work irregular hours, as barriers to women returning to work.

**“Ideally I would like to see more support available to new parents by way of additional childcare provisions...I can imagine that could be a stumbling block for working parents, particularly when working in Retail, e.g. Sunday is a trading day but there would be very little by way of childcare options available to working parents as nurseries are not open on Sundays or even late evenings.” [Private Sector]**

### **Ensuring safe environment**

Approximately one in ten employers believed that they were most challenged to ensure the workplace was safe for pregnant employees. It is unsurprising that this issue was identified this as the most challenging issue by employers within industries, such as Manufacturing, Health and Retail and Wholesale Trade where physical work is required or where there are unpredictable customer-facing roles. Just one of these employers in the Health Sector, did not have a Health and Safety Policy.

Identifying this issue as the most challenging does not of course mean that the organisation is unable to meet the challenge but that it is recognised that the work environment presents challenges.

One employer commented that:

**“Whilst I have noted this as the most challenging area it is more about continuing to provide a safe working environment in a very public facing role in Retail rather than us having experienced difficulties in this area.” [Private Sector]**

Another employer who stated that ensuring a safe working environment was never a challenge believed that this was due to the steps that they as an organisation take to ensure that Health and Safety Risks were dealt with:

**“We complete regular risk assessments with our employees, and if they need anything - a back support, flexibility to work certain hours, to work from home - we accommodate these requests.” [Private Sector]**

In order to create a safe working environment one employer advocated dialogue and mutual agreement between employer and employee in order to find the best solution for both parties.

**[I would recommend] “That employers and employees more explicitly share the responsibility to produce bespoke solutions for each person and each pregnancy, based on a proportionate approach to risk and cognizant of the business of the organisation.” [Public Sector]**

### **None of the above**

Approximately a quarter of employers thought that none of the issues provided were the most challenging for their organisation to face during an employee’s pregnancy. They did not identify any other challenges which they experienced during pregnancy.

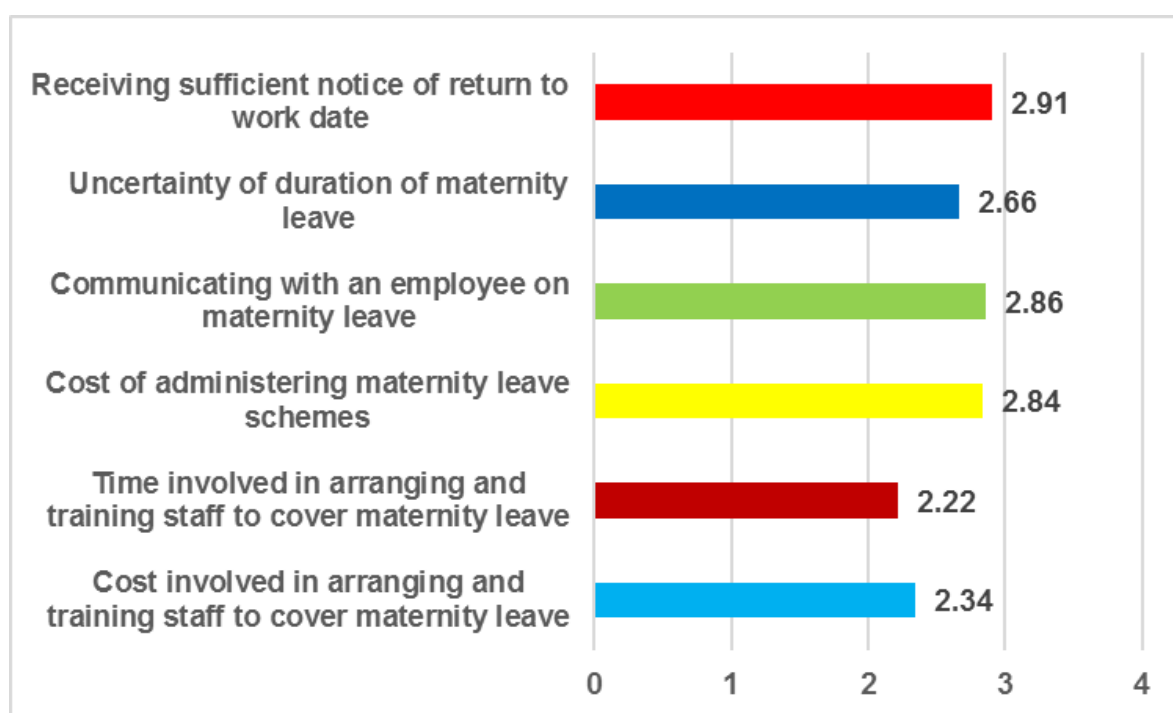
## Challenges associated with Managing Maternity Leave

Employers were asked to indicate how often a number of given issues associated with managing maternity leave challenged their organisation on a scale from Always to Never.

The chart below shows the average rating of each given issue by employers. A lower average score indicates that a greater number of employers find the issue always or often a challenge, while a high score indicates that a greater number of employers were or never challenged by the issue.

In most cases the majority of employers are seldom or never challenged by the issues however, it is issues around the time and cost of arranging cover for maternity leave which challenge more employers more often more often.

**Figure 48: Average Score indicating how often organisations are challenged by issues associated with managing maternity leave**



Score: Always =1 Often =2 Seldom =3 Never =4:

The Table below shows that almost two out of three employers were always or often challenged by finding the time to arrange and train staff to cover for maternity leave.

**Table 9: Percentage of employers identifying issues associated with managing maternity leave as always or often challenging for their organisation**

<b>Issues: Always or Often a challenge</b>	<b>Percentage of respondents</b>	<b>Number of Respondents</b>
<b>Cost involved in arranging and training staff to cover maternity leave</b>	48%	28
<b>Time involved in arranging and training cover for maternity leave</b>	60%	35
<b>Cost of administering maternity leave schemes</b>	26%	15
<b>Communicating with an employee on maternity leave</b>	24%	14
<b>Uncertainty of duration of maternity leave</b>	41%	24
<b>Receiving sufficient notice of return to work date</b>	19%	11

### **Time and costs involved in arranging and training cover for maternity leave**

Employers face a choice of using existing resources to cover the work of the employee on maternity leave or of recruiting temporary staff. If the pregnant employee's skills are unique within the organisation there may be no choice and it may be difficult to recruit and train temporary staff for a limited period of time.

Arranging cover for the period of maternity leave was challenging always or often for more than half of the respondents to the employer survey. However, the time involved in arranging and training cover was seen as a frequent challenge by a greater number of employers [60%] than the costs involved [48%].

Although organisations of all employment sectors and of all sizes believed that the time and costs involved in arranging and training maternity cover was always or often challenging for their organisation, all Voluntary and Community Sector employers identified with both of these issues.

## **Uncertainty of duration of maternity leave**

In addition, two fifths of the employers [41%] stated that not knowing how long an employee would be away from the workplace was always or often an issue. This obviously creates difficulties when arranging cover for the employee who is off. For some employers this was an issue of poor communication: one in four of these employers also had an issues regarding communication during maternity leave and insufficient notice of a return to date from an employee. Proportionately more businesses with 500 or more employees [50%/N=6] and smaller business employing 5 or fewer people [56%/N=5] indicated that they were always or often impacted by this issue.

## **Receiving sufficient notice of return to work date**

Four out of five employers were seldom or never challenged by this issue, however, for one in five employers a lack of notice of a return to work date was an issue. This was an issue which challenged employers of all sizes and industry sectors including Health, Manufacturing, Retail and Wholesale Trade, and Transport and Storage.

## **Communicating with an employee on maternity leave**

The majority of employers did not find communication with an employee on maternity leave challenging but, of the one in four organisations who did, it was always or often a challenge for proportionately fewer small employers [N=6 out 31 respondents] and Private Sector employers [N=7 out of 42 respondents] and may be partly because employees have taken a shorter period of maternity leave.

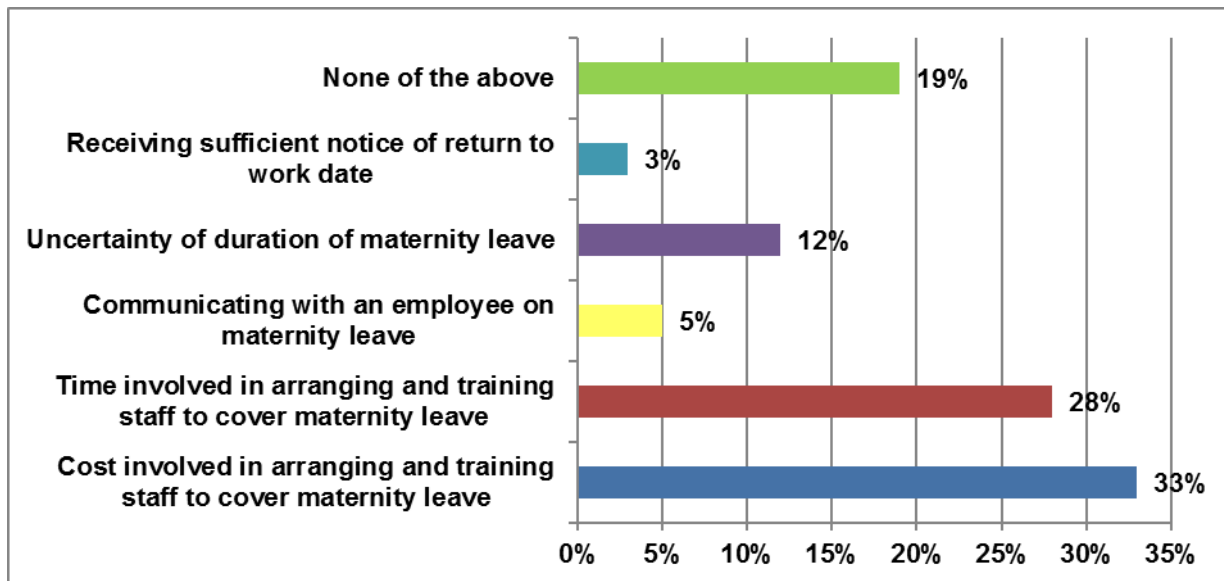
## **Cost of administering maternity leave schemes**

One in four employers found the costs involved with the administration of maternity leave schemes were always or often an issue for their organisation. Such costs challenged proportionately more Voluntary and Community Sector employers, but were identified as an issue by large and small businesses equally.

## Most challenging issues associated with managing maternity leave

The chart below shows that one in three employers found the costs of arranging and training staff to cover maternity leave was most challenging for their organisation

**Figure 49: Most challenging issue for employers associated with managing maternity leave**



## Cost and time involved in arranging cover for maternity leave

With Statutory Maternity Leave entitlement being up to 52 weeks it is likely that an employer will wish to cover the period of maternity leave in order to meet business targets. However, employers identified issues surrounding arranging and training staff to cover for an employee on maternity leave as challenging for their organisation.

As reported earlier, employers viewed the **time** involved in arranging and training cover for maternity leave as being more **often** challenging, however, it is the **costs** involved which are seen as the **most** challenging issue.

One in three employers [N=19] thought the cost involved in arranging and training cover for maternity leave was most challenging issue compared to one in four employers who believed the time involved was the most challenging issue [N=16].

Costs faced by employers include the costs of recruitment exercises, costs of additional workload for Human Resource staff, training costs and additional costs associated with short term and/or highly qualified replacements.

For approximately two fifths of small employers [45%] and three out of four Voluntary & Community Sector employers [75%] it was **cost** of arranging and training cover for maternity leave which presented the most challenging issue; whereas **time** issues were seen as most challenging by one in three Private Sector employers.

One employer commented on the difficulty encountered in finding a temporary replacement able to do the work to the same standard:

**“We have only had one employee to have children. The biggest problem is getting someone to cover the maternity leave to the same standard as the existing employee for the duration of the maternity leave.” [Private Sector]**

Another employer spoke of the challenge of finding someone who is content with the temporary status of the job:

**“We have found it difficult getting someone to stay in employment and cover the maternity leave for the full nine months. The cover we had was offered another longer term more permanent job, which we sadly could not offer her at this time. We are now finding it difficult as a company to get someone in for the remaining four months of maternity leave. We do not want to pay the agency fees to get such short term cover and have had a very poor response through recruiting through Employers Online.” [Private Sector]**

The fact that the costs and time involved in arranging and training cover for maternity leave are the most challenging issues identified by employers reflects the difficulties some employers face when trying to find replacements, particularly for specific skill sets and for short periods of time.

It is a difficulty especially for the women participants whose maternity cover has not been identified and trained in good time before their maternity leave commences. They reported a stressful period leading up to maternity leave and for some it led to unreasonable contact during maternity due dealing with queries from untrained staff.

## **Uncertainty of length of maternity leave**

More than one in eight employers [12%] from both the Public and Private Sectors said they were most challenged by uncertainty of length of maternity leave.

This highlights the importance of maintaining reasonable contact with an employee on maternity leave, although difficulty communicating with an employee on maternity leave was not the only possible reason for this issue; there may also be an issue with employees who change their agreed arrangements, or an uncertainty whether or not an employee will return at all.

## **Communication with an employee on maternity leave**

Three large employers across all the employment sectors identified communication with an employee on maternity leave as the most challenging issue for their organisation. All three employers had a Maternity Leave Policy which presumably outlines entitlements to Keeping in Touch Days. However, as communication is a two-way process this may not be an issue entirely in the employer's control and highlights the importance of agreeing methods and frequency of communication before maternity leave commences.

The fact that no small businesses identified this as the most challenging issue may reflect a closer connection between an employer and employee or an employee taking a shorter period of maternity leave.

Employees are entitled to work up to ten Keeping in Touch Days during their Statutory Maternity Leave without losing their Statutory Maternity Pay. Women respondents to our online survey had divided opinion about the use of these days; those who had taken advantage of Keeping in Touch Days believed them to be useful in adjusting into work following maternity leave; some did not wish to use their entitlement, while others were annoyed that they were denied the opportunity.

It is unclear why communication is always or often challenging; for example, it may be a challenge for an employer because of time constraints or it may be because the employee does not wish to be contacted. It is clear, however, that reasonable communication with an employee on maternity leave is appropriate and essential for both for parties. In addition to wishing to be kept informed of promotion opportunities and changes within the workplace many of the women respondents to the online survey believed that good communication during maternity leave eased their return to work.



It can be difficult, however, for employers to be consistent in their contact with employees who are removed from the workplace, particularly where expectations about reasonable contact were not discussed prior to the onset of maternity leave, or where work relationships may have been strained to begin with.

### **Receiving insufficient notice of a return to work date**

An employer is entitled to assume that an employee will be taking her full 52-week entitlement to maternity leave. If an employee wishes to return earlier they must inform their employer that they intend to return early and give their employer at least eight weeks' notice of the date of their return. If an employee does not give eight weeks' notice an employer can insist that the employee does not return until the eight weeks has passed.

Just two Private Sector employers thought that they were most challenged by receiving insufficient notice of a return to work date from employees on maternity leave.

Communicating with an employee on maternity leave was seldom a challenge for their organisation, however, one employer who found this issue always challenging indicated frustration that policy requires that they are unable to ask about planned return dates making preparation for return to work difficult.

**“Planning resourcing and return- we operate NICS policy which means HR cannot ask when employee returning- assume 12 months.” [Private Sector]**

One small employer commented that a willingness of both parties to find a compromise between business needs and the needs of the employee have ensured that they are not challenged by issues surrounding duration of and return from maternity leave.

**“We have been very fortunate with our staff and they work with us in respect of their leave.” [Private Sector]**

Sufficient notice of return to work date enables employers to prepare return particularly where arrangements have been made to cover maternity leave or an employee wishes to vary their work pattern. As can be seen below, managing an employee's return to work is seen as always or often challenging by one in four employers. It is, therefore, in the interest of both parties to ensure that sufficient notice is given whether there is a legal obligation or not.

## None of the above

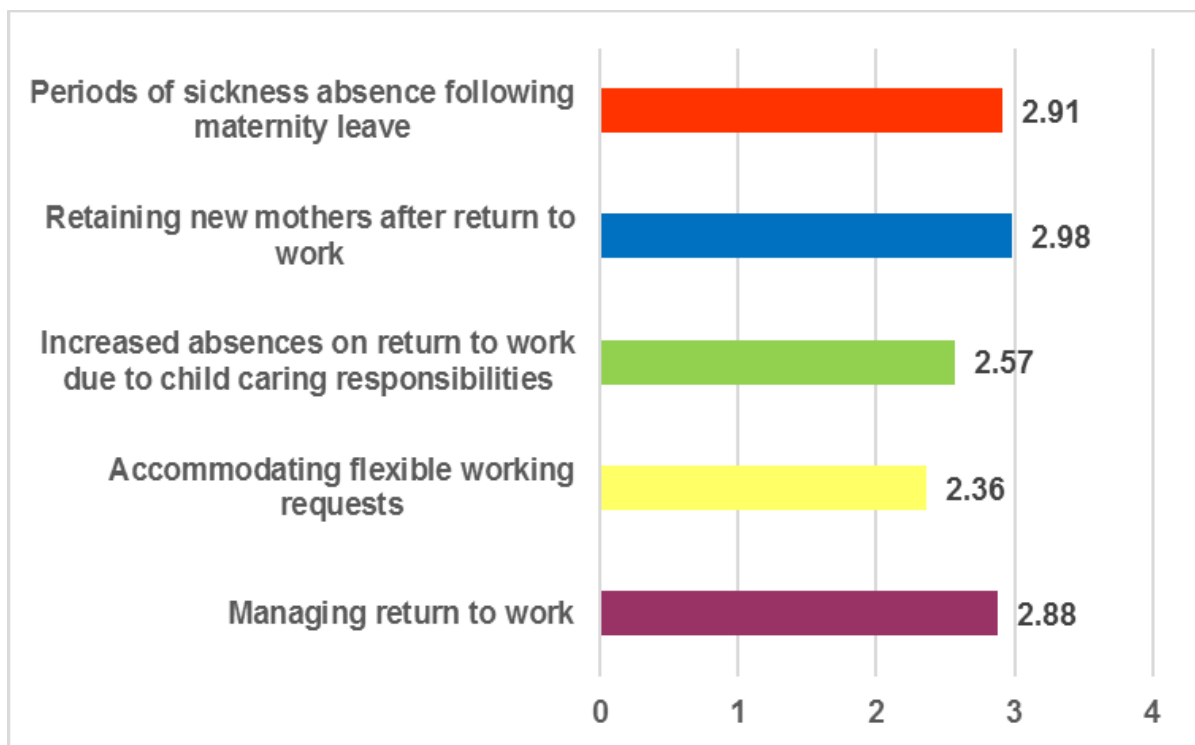
One in five employers believed none of the issues provided to be the most challenging for them. No other issues were identified.

## Challenges associated with Managing Return to Work

Employers were asked to indicate how often a number of given issues associated with return to work challenged their organisation on a scale from Always to Never.

The chart below shows the average rating of each issue by employers. A lower average score indicates that a greater number of employers find the issue always or often a challenge.

**Figure 50: Average Score indicating how often organisations are challenged by issues associated with managing return to work**



**Score: Always =1 Often =2 Seldom =3 Never= 4:**

Most employers found the given issues seldom challenging for their organisation. Just two of the given issues challenged employers more often: meeting the flexible working needs of employees and absences due to child caring responsibilities.

The Table below shows that more than half of the employers were always or often challenged to accommodate flexible working requests of mothers returning from maternity leave.

**Table 10: Percentage of employers identifying issues associated with managing return to work as always or often challenging**

<b>Issue: Always or often challenging</b>	<b>Percentage of Respondents</b>	<b>Number of Respondents</b>
<b>Managing return to work</b>	26%	15
<b>Accommodating flexible working requests</b>	54%	31
<b>Increased absences due to child caring responsibilities</b>	40%	23
<b>Retaining new mothers after return to work</b>	24%	14
<b>Periods of sickness following maternity leave</b>	19%	11

### **Accommodating flexible working requests**

More than half of the organisations which completed the online survey always or often found accommodating flexible working requests challenging. Although this was the case across all sizes of businesses and employment sectors and a range of industry sectors.

Although most of these employers agreed that flexible working was of benefit to their organisation [N=12] some employers thought that it was difficult to accommodate flexible working within their industry sector.

### **Increased absences due to child caring responsibilities**

Two out of five employers of all sizes and employment sectors also thought that an increase in absences from work due to child caring responsibilities always or often posed a challenge for their organisation. Almost half of these employers[N=11] found that accommodating flexible working requests creates the most challenges for their organisation.

## **Managing return to work**

Although the majority of employers were seldom or never challenged by this issue for more than one in four employers it was always or often a challenge to manage an employee's return to work. This impacted on both large and small organisations and the majority of these employers [N=13] also always or often found the uncertainty of duration of maternity leave challenging. All employers found it challenging to accommodate flexible working requests. It may be that a combination of these factors makes managing a return to work difficult.

## **Retaining new mothers on return to work**

Around one in four employers found it always or often challenging to retain an employee following her return to work. Organisations with more than 100 employees and small or micro employers tended to indicate that they were always or often challenged by this issue. The majority of these employers also found accommodating flexible working requests a challenge [N=12].

One Private Sector employer stated that they offer a bonus payment incentive to mothers who return to work and remain with the organisation for a year.

**“Upon return, 7 months after return the company pays a Returners Bonus of 6 weeks' full pay less 6 weeks SMP.” [Private Sector]**

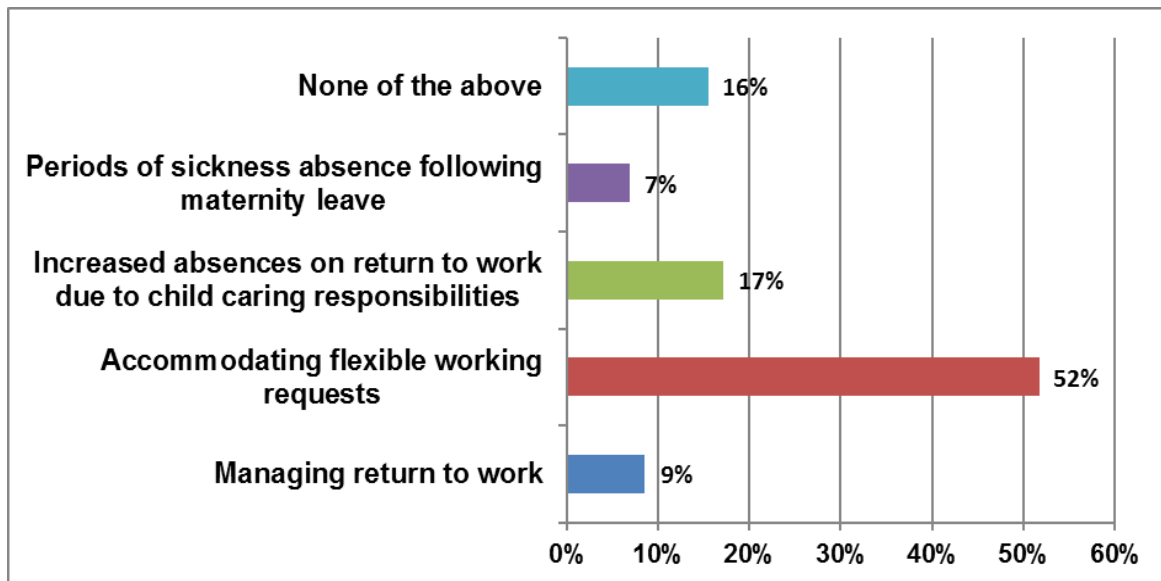
## **Periods of sickness following maternity leave**

Around one in five employers found sickness absence following maternity leave always or often challenging. This issue challenged proportionately more employers in the Public Sector [33%/N=4 out of 12] compared to employers in the Voluntary and Community Sector [25%/N=1 out of 4] and the Private Sector [15%/N=6 out of 42]. As with pregnancy related sick absences large Public Sector employers may deal with a greater number of pregnancies at any one time.

## Most challenging issues associated with managing return to work

The chart below shows that the greatest percentage of employers identified accommodating flexible working requests as the most challenging issue for their organisation.

**Figure 51: Most challenging issues for employers associated with managing return to work**



### Accommodating flexible working requests

More than half of the employers thought that accommodating flexible working requests posed the greatest challenge for their organisation [N=30]. This was the case for all employers across a range of industry sectors although this impacted on proportionately more Private Sector employers [N=25 out of 42] compared to one in three Public Sector employers and one in four Voluntary and Community Sector employers.

Half of these organisations had a predominantly female workforce and a small number [N=5] did not have a Flexible Working Policy.

Comments made by employers indicate that they believe it is difficult in their particular industry to accommodate flexible working due to the nature of their business:

**“Manufacturing environment: it is difficult to accommodate flexible working requests.” [Private Sector]**

**“Out of the options provided this can be the most challenging area as a number of requests received are to work at times where there is insufficient work available due to non-peak trade...” [Private Sector]**

Other employers find that it is difficult to manage the expectations of employees who wish to work flexible working arrangements and who are unwilling to compromise.

**“Our main challenge is parents returning to work who want to alter their previous working hours. Often employees want to dictate their new hours and not negotiate.” [Public Sector]**

Comments from some employers who currently find accommodating flexible working a challenge indicate that they recognise the business benefits of flexible working arrangements and are willing to look at how they develop their business to accommodate requests and meet the challenges of flexible working at all levels in their organisation.

**“As a company we have introduced Women In Leadership, which also looks at flexible working” [Private Sector]**

**“Although some flexible working is available, we need to be more creative in how we provide opportunities for more flexible solutions.” [Public Sector]**

### **Increased absences due to child caring responsibilities**

An increase in absences from work due to child caring responsibilities was the most challenging issue for more than one in six of the employers in the Private and Voluntary and Community sectors [N=12]: no Public Sector employers thought this challenged their organisation the most. More than half of the employers who identified this issue as most challenging had a predominantly male workforce. Any absence from work impacts on productivity and on colleagues.

### **Managing Return to Work and Periods of sickness absence following maternity leave**

A small number of employers identified these issues as the most challenging for their organisations. It is unclear which aspect of managing return to work is the most challenging for the five employers who chose this issue. However, it is likely that the impact of absences on the business and on colleagues was the issue for the four employers who found that periods of sickness absence following maternity leave was their main challenge.

### **None of the above**

Approximately one in six employers believed that none of the issues provided were the most challenging issue they faced. Again no other issues surrounding return to work were suggested as more challenging.

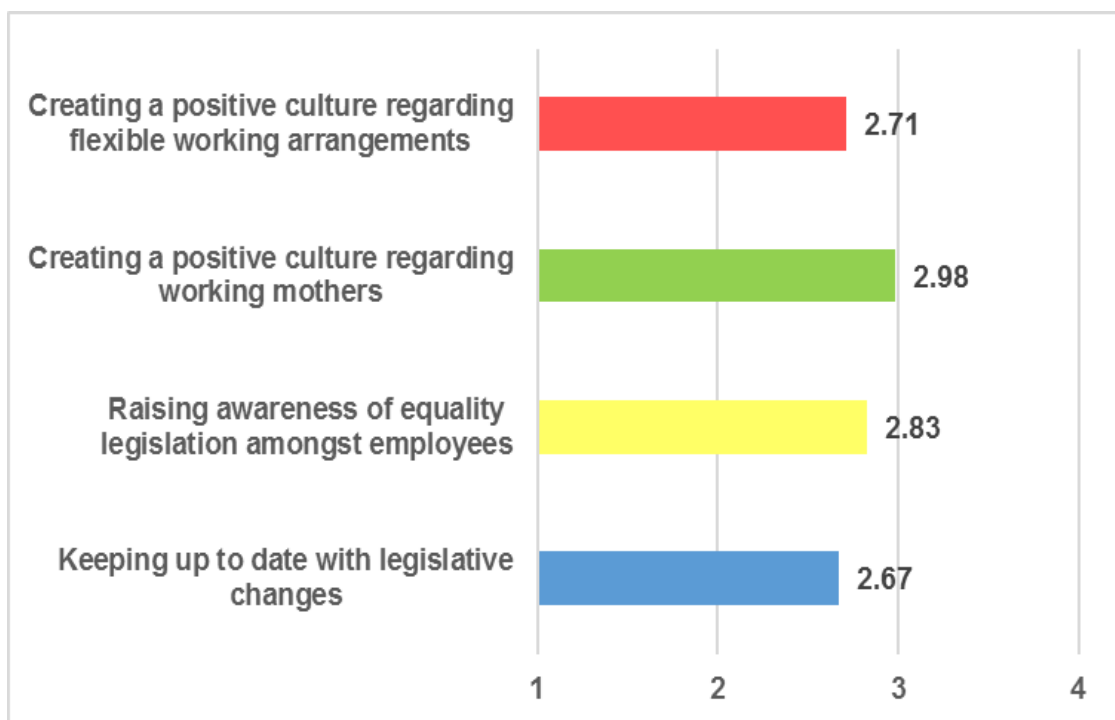
## Challenges associated generally with managing pregnancy, maternity leave and return to work

Employers were asked to indicate how often a number of given issues associated with pregnancy, maternity leave and return to work challenged their organisation on a scale from Always to Never.

The chart below shows the average rating of each issue by employers. A lower average score indicates that a greater number of employers find the issue always or often a challenge.

It is encouraging to see that the majority of employers were seldom challenged by the given issues.

**Figure 52: Average score indicating how often organisations are challenged by issues associated generally with managing pregnancy, maternity leave and return to work**



Score: Always =1 Often =2 Seldom =3 Never =4:



Although the majority of employers found the given issue associated with managing pregnancy, maternity leave and return to work as challenge for their organisation there were some employers who did find these always or often a challenge.

The Table below shows that a number of issues generally associated with managing pregnancy, maternity leave or return to work always or often challenged around one in three employers.

**Table 11: Percentage of employers identifying issues generally associated with managing pregnancy, maternity leave and return to work as always or often challenging**

<b>Issue: Always or often challenging</b>	<b>Percentage of employers</b>	<b>Number of employers</b>
<b>Keeping up to date with legislative changes</b>	<b>38%</b>	<b>22</b>
<b>Creating a positive culture regarding flexible working arrangements</b>	<b>35%</b>	<b>20</b>
<b>Raising awareness of equality legislation amongst employees</b>	<b>33%</b>	<b>19</b>
<b>Creating a positive atmosphere regarding working mothers</b>	<b>26%</b>	<b>15</b>

### **Keeping up to date with legislative changes**

Approximately two in five employers [38%] found it always or often problematic keeping up to date with legislative changes.

Although organisations of all sizes and employment sectors were always or often challenged by this issue proportionately more organisations with 20 employees or less [N=5 out of 9] identified this as challenging.

The majority of employers who thought this was a challenge had managed pregnancy in the workplace within the past five years.

## **Creating a positive culture regarding flexible working arrangements**

More than one third of employers [35%] always or often found it challenging to create a positive culture around flexible working.

Creating a positive culture around flexible working was a challenging for all sizes of organisation while proportionately fewer participating Public Sector employers [N=3 out of 12].

Amongst the 20 employers who identified this as a challenge to their organisation an equal number agreed that flexible working was of benefit to their organisation as disagreed [N=7]. These employers represented a range of industry sectors such as the Education, Health, Manufacturing and Professional Scientific and Technical sectors.

Two fifths of the employers who found this issue challenging indicated that they do not have a Flexible Working Policy [N=8]

## **Raising awareness of equality legislation among employees**

A third of employers [33%] thought that ensuring employees are aware of equality legislation was always or often a challenge. Half of these employers stated that they did not have an Equal Opportunities Policy.

This issue was identified as challenging across the employment sectors, and there was little difference between the proportion of large and small organisations identifying this as challenging.

The majority of these employers identified methods of communicating policies to their employees such as training and information contained in Employee Handbooks [N=11].

## **Creating a positive atmosphere regarding working mothers**

One in four employers [26%] stated that they found it always or often a challenge to create a positive atmosphere in relation to working mothers. This issue challenged organisations in each of the employment sectors and organisations of all sizes. The industry sectors represented include workforces which are predominantly male, such as Construction and those which are predominantly female, such as Education.

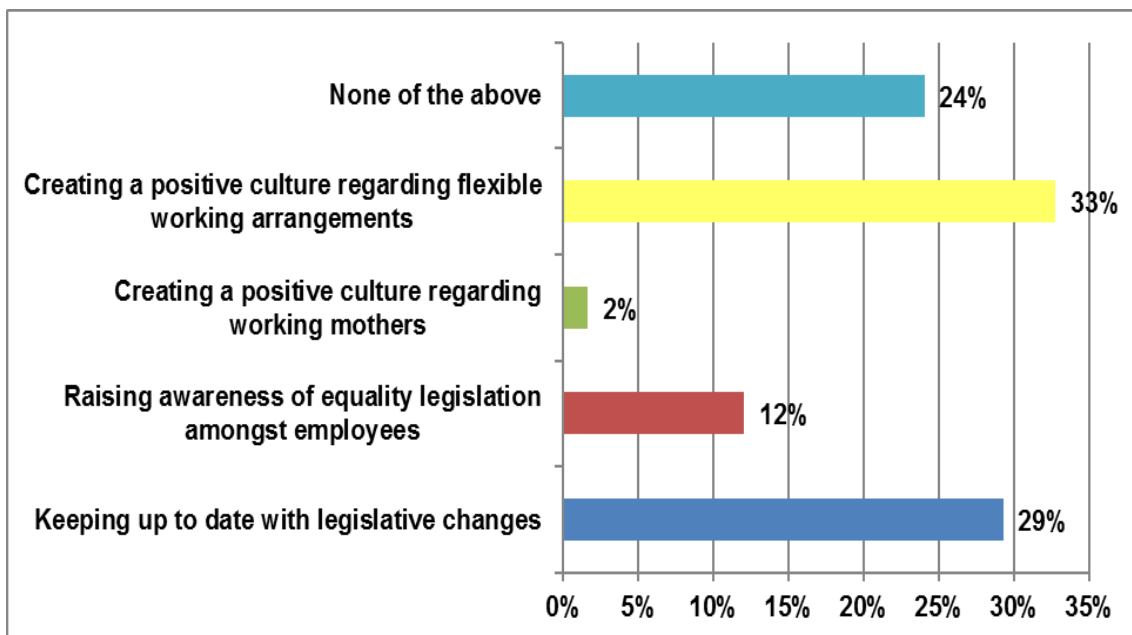
The majority of employers who found this issue always or often challenging also identified absence from the workplace during pregnancy [N=13] or following return from maternity leave [N=7] as most challenging to their organisation, indicating that this may be an issue related to managing resources and impacts on colleagues.

### **Most challenging issues associated generally with managing pregnancy, maternity leave and return to work following maternity leave**

Employers were asked to identify which of the given issues associated generally with pregnancy, maternity leave and return to work they believed to be the most challenging for their organisation.

The chart below shows that more employers identified the issues of creating a positive culture regarding flexible working and of keeping up to date with legislative changes as most challenging for their organisation.

**Figure 53: Most challenging issue for employers associated with managing pregnancy, maternity leave and return to work**



## **Creating a positive culture regarding flexible working arrangements**

Flexible working arrangements enable many women employees to combine parenthood and a career and assist parents to meet the costs of childcare. However, some organisations may find little positivity surrounding flexible working arrangements where they are viewed as difficult to manage, incompatible with the nature of their work, or as increasing pressure on other staff.

Creating a positive culture regarding flexible working arrangements was identified as the most challenging issue by one in three of the employers. Organisations of all sizes and all employment sectors found this the most challenging issue, but half of the organisations with between 5 and 19 employees thought this their greatest challenge [N=4 out of 8].

Just under half of these organisations agree that flexible working benefits their organisations [N=9].

## **Keeping up to date with legislative changes**

Employer understanding of legal obligations towards pregnant employees and new mothers is important in order for them to be able to offer comprehensive and accurate work policies which uphold employee rights. For more than one in four employers [29%] keeping up to date with legislative changes was the most challenging issue.

It is in the employer's interest to be well informed of current legislation as failure to do so can be costly, not just in terms of costly legal processes and settlements but also in respect of replacing those women who have been unfairly dismissed or who do not return to work due to their negative experience. Women who participated in the investigation have indicated that unfair treatment was one of the main reasons for leaving an employer.

Employment legislation is often updated in line with European Directives and it may be challenging for smaller business to have the time and resources to keep up to date. Indeed, a greater proportion of smaller businesses identifying this issue as most challenging [N=4 out of 8]. Small businesses may rely on the advice and guidance about their legal obligations provided by a range of advice organisations; however, The Federation of Small Businesses, in its submission, states that the available guidance could be better aimed specifically towards the small business owner.

**“A quick internet search for advice from an employer’s perspective on managing pregnancy and maternity leave indicates that there is very little advice available that is aimed at the small business owner rather than the employee.” [Federation of Small Businesses]**

### **Raising awareness of equality legislation among employees**

A small number of employers [12%] thought that the issue which most challenged them was raising awareness of equality legislation amongst their workforce.

Only organisations within the Private Sector and Voluntary and Community Sector and organisations with more than 100 employees identified that this issue as the most challenging for them. It is unclear why this is a challenge for these employers; the majority had both an Equal Opportunities Policy [N=5] and a Dignity and Harmony at Work/Harassment Policy [N=4]; they also detailed mechanisms for disseminating information and for training managers and staff.

Under the SDO legislation employers are liable for discrimination committed by their employees, [whether or not the acts were done with the employer’s approval,] unless they have taken steps to prevent the discrimination occurring and so it makes sense for employers to ensure that all employees are aware of equality legislation.

### **Creating a positive culture regarding working mothers**

Just one employer found it most challenging to create a positive culture regarding working mothers. This is a large Private Sector employer with a majority male workforce in a typically male dominated Construction industry.

## 6.4 Employer Attitudes

Employers were given a number of attitude statements and were asked to rate how strongly they agreed or disagreed with the statement. These statements can be loosely grouped into attitudes towards supporting and encouraging female employees, views regarding pregnant employees and working mothers and views on the impact on the organisation and colleagues.

### Providing support for pregnant employees and new mothers

Attitude statement	strongly agree/agree percentage	strongly disagree /disagree percentage	neither agree nor disagree percentage
Women are/would be supported during pregnancy/maternity/ on return to work	81%	2%	7%

The majority of the employers agree with the statement that they support employees during their pregnancy/maternity leave and on their return to work. Employers have shown support for their employees by making adjustments to the workplace to enable them to continue working, enabling Keeping in Touch during maternity leave, providing enhance maternity entitlements and by accommodating flexible working requests.

**“We complete regular risks assessments with our employees, and if they need anything- a back support, flexibility to certain hours, to work from home – we accommodate these requests.” [Private Sector]**

**“We have access to HR resources to help us ensure that pregnant employees get all their relevant entitlements and work closely with the employee to ensure we do all we can for them prior to having a baby and again on their potential return to work.” [Private Sector]**

Just one organisation disagrees with this statement and their comments indicate that their disagreement is based on the organisation's treatment of sickness absences; a lack of procedural discretion regarding post-natal sick absences is seen as unsupportive to women.

Treatment in connection with post-natal sickness absences was a concern of a number of women responding to the online survey. In particular, women who worked for Public Sector organisations believe that contracting out Human Resource functions has detracted from managerial discretion and made managing attendance procedures impersonal; ultimately making the experience more stressful in addition to their illness.

<b>Attitude statement</b>	<b>strongly agree/agree percentage</b>	<b>strongly disagree /disagree percentage</b>	<b>neither agree nor disagree percentage</b>
<b>It is worthwhile training a pregnant employee even though she may not be returning</b>	69%	10%	21%

In addition, most employers felt that it was worthwhile investing time and money in training a pregnant employee even when they cannot be certain that those skills will ultimately benefit the organisation.

There was approximately one in three employers who disagreed or were undecided that it would be worthwhile investing in such training. Just six of these employers found it always or often challenging to retain pregnant employees.

One in three women responding to our survey who believed they had been treated unfairly stated that they did not receive training following their notification of pregnancy; in some cases, the respondents found that training previously offered was withdrawn [32.4%/N=99 out of 306 respondents].

<b>Attitude statement</b>	<b>strongly agree/agree percentage</b>	<b>strongly disagree /disagree percentage</b>	<b>neither agree nor disagree percentage</b>
<b>Our employees are encouraged to return to work after maternity leave</b>	87%	3%	10%

The vast majority of employers believed that they encourage new mothers to return to work. Indeed, it has already been reported that two organisations in particular detailed their phased return scheme and their bonus payment scheme for mothers who remain for one year. Other ways in which the employers encourage mothers to return to work include the availability of an Employee Childcare Voucher Scheme and flexible working.

A small number of employers were undecided or felt that their employees were not encouraged to return following maternity leave [N=8].

Most of these employers [N=7] were stated that they were most challenged by absences following an employee's return to work or by accommodating flexible working requests.

<b>Attitude statement</b>	<b>strongly agree/agree percentage</b>	<b>strongly disagree /disagree percentage</b>	<b>neither agree nor disagree percentage</b>
<b>Having a child has no impact on decisions regarding a woman's career progression/promotion</b>	72%	12%	16%

Again the majority of employers agreed that motherhood had no impact on decisions made regarding an employee's career progression/promotion.

Approximately one in eight employers thought that becoming a mother would influence such decisions. Of these seven employers, five employers have a predominantly male workforce.



The women’s survey indicates that women perceive the impact on their career differently. Half of the women who completed the online survey believed that their pregnancy and motherhood had a negative impact on their career opportunities; while one in three women believed they experienced unfair treatment, including being overlooked for promotion or being otherwise sidelined.

<b>Attitude statement</b>	<b>strongly agree/agree percentage</b>	<b>strongly disagree /disagree percentage</b>	<b>neither agree nor disagree percentage</b>
<b>It is important to maintain reasonable contact with employees on maternity leave</b>	76%	2%	22%

The majority of the organisations, three out of four employers, agree that it is important to maintain reasonable contact with an employee on maternity leave. The majority [N=33] of these employers have Maternity Leave policies in place.

However, one in four employers were undecided about the importance of maintaining reasonable contact and one [Private Sector] employer believed that this was not important.

Communication during maternity leave was one of the main factors in deciding how supported an employee felt whilst on maternity leave and employers should ensure that their employees are kept informed of all career progression opportunities. Just one in five women who responded to the online survey believed that they had been kept well informed during their maternity leave

## Encouraging female participation in the workplace

<b>Attitude statement</b>	<b>strongly agree/agree percentage</b>	<b>strongly disagree /disagree percentage</b>	<b>neither agree nor disagree percentage</b>
<b>We take a dim view of employees who become pregnant within the first year of employment</b>	7%	74%	19%

Three out of four employers disagreed that they would take a dim view of an employee who became pregnant within the first year of employment.

A small number of employers [N=4] agreed with that they would prefer that their employees did not become pregnant within the first year of employment. Almost one in five employers neither agreed nor disagreed with this statement.

Those who agreed with the statement represented each of the employment sectors and both small and large businesses.

Three out these four employers indicate that they face challenges of retention of pregnant employees and/or managing the impact of employee absences during pregnancy which may, in part, explain their agreement with the statement.

	<b>strongly agree/agree percentage</b>	<b>strongly disagree /disagree percentage</b>	<b>neither agree nor disagree percentage</b>
<b>It is reasonable for an employer to be wary of hiring younger women</b>	16%	65%	19%

The majority of organisations disagreed with this statement, one in five organisations neither agreed nor disagreed and one in six organisations agreed that employers should reasonably be wary of hiring younger women.

Those who agreed represented organisations with less than 500 employees and proportionately more businesses with less than 100 employees.

Both Private and Public Sector employers agreed with the statement, although proportionately more Private Sector employers were represented.

More than half of these organisations stated that they did not have a Recruitment Policy [N=5] and agreed with statements which indicate negative experiences of pregnant employees and working mothers:

- Pregnant women and mothers are less committed, and
- women abuse their employment rights during pregnancy, maternity leave and on return to work.

Some of these employers also believe their organisation is most challenged by issues such as, the retention of pregnant employees, the costs and time involved in arranging and training cover for maternity leave, keeping up to date with changes in legislation and creating a positive culture regarding flexible working arrangements. Their agreement with the statement may be an indication that they require support and advice in order to deal with and manage pregnancy, maternity leave and return to work.

### **Attitudes towards pregnant employees and new mothers**

<b>Attitude statement</b>	<b>strongly agree/agree percentage</b>	<b>strongly disagree /disagree percentage</b>	<b>neither agree nor disagree percentage</b>
<b>Some women abuse their rights during pregnancy, maternity leave and return to work</b>	29%	36%	35%

This is the statement which most divides opinion. Just over one in three employers disagree that women abuse their rights, while just under one in three employers agree that they do abuse their rights. A further third of employers are undecided or disagree with the statement.

Proportionately more Private Sector employers agreed with this statement [34%] than Public Sector employers [8%], but employers representing organisations of all sizes agreed that women abused their rights during pregnancy, maternity leave and on return to work.

The majority of the seventeen organisations who agreed with the statement thought that absences during pregnancy challenged them as an organisation [N=11] while on return to work the majority of these employers found that accommodating flexible working request was most challenging for their organisation [N=11]. Comments from some employers indicate that there are some difficulties reconciling expectations for flexible working arrangements with business needs.

**“Our main challenge is parents returning to work who want to alter their previous working hours. Often employees want to dictate their new hours and not negotiate.” [Private Sector]**

<b>Attitude statement</b>	<b>strongly agree/agree percentage</b>	<b>strongly disagree /disagree percentage</b>	<b>neither agree nor disagree percentage</b>
<b>Pregnant employees tend to be less committed to work than others in their team</b>	12%	66%	22%

Two out of three employers believe that pregnant employees are as committed to their work as colleagues.

A small number [N=7] of employers, Private and Public Sector organisations, agree with the statement.

More than half of these employers [N=4] also agree that their organisation is challenged by sickness absences during pregnancy which may be reflected in their agreement with this statement about the commitment of pregnant employees. However, the same employers also find it challenging to ensure a safe work environment for pregnant women which may in turn be the reasons for the sick absences.

<b>Attitude statement</b>	<b>strongly agree/agree percentage</b>	<b>strongly disagree /disagree percentage</b>	<b>neither agree nor disagree percentage</b>
<b>Women returning from maternity leave tend to show less commitment to their work than other members of the team</b>	17%	59%	24%

A slightly lower percentage of employers believe that women returning from maternity leave are as committed as other team members. A quarter of organisations neither agree nor disagree with the statement.

However, one in six employers agree that returning new mothers show less commitment than colleagues. Half of these employers also agreed that they find it a challenge to retain new mothers after their return to work [N=5] and the majority of the employers find accommodating flexible working request the most challenging aspect of managing a return to work [N=7]. These employers represent organisations of all sizes and the Private and Voluntary and Community Sectors.

Women participants perceived that their employer's attitude towards them had changed on their return to work, especially women who had reduced their working hours. They believed that their employer expected less from them and that had the potential to negatively impact their careers and perhaps their own attitude towards their work. One woman commented:

**“.. there is an assumption by senior management that, because you are a working mum and therefore work part-time, you are not interested in furthering your career. The apathy on behalf of senior management towards you as a part-time member of staff in fact is like a self-fulfilling prophecy: because you feel undervalued, you eventually become disinterested in your job.” [Public Sector]**

This highlights the importance of continuing to invest in the careers of working mothers, to continue to provide training and career opportunities.

## Impact on the Organisation

<b>Attitude statement</b>	<b>strongly agree/agree percentage</b>	<b>strongly disagree /disagree percentage</b>	<b>neither agree nor disagree percentage</b>
<b>Flexible working benefits our organization</b>	54%	22%	24%

More than half of the organisations were positive about the benefits of flexible working to their organisation; while a quarter neither agree nor disagree with the statement.

Over one fifth of the employers believe that flexible working does not benefit them [N=13]. These employers represent a range of eight Industry sectors including, Manufacturing; Accommodation and Food Services, Transport & Storage, and the Professional, Scientific and Technical sector.

Proportionately more small organisations [less than twenty employees] believe that they do not benefit from flexible working arrangements; while proportionately more Private Sector employers and Voluntary and Community Sector employers disagreed with the statement than Public Sector employers.

However, even those employers who disagree that flexible working arrangements are of benefit to their organisation have a Flexible Working Policy. The majority of these employers [N=10] find it challenging to accommodate flexible working requests and believe that they have difficulties creating a positive culture regarding flexible working arrangements.

Attitude statement	strongly agree/agree percentage	strongly disagree /disagree percentage	neither agree nor disagree percentage
We [would] find the costs associated with pregnancy unduly burdensome	17%	52%	31%

Just over half the employers believe that the costs associated with pregnancy are **not** unduly burdensome.

Costs associated with pregnancy include for example, decrease in productivity due to absences and training of other staff, costs of administering maternity leave schemes, and extra costs involved where temporary staff are recruited to cover maternity leave.

One in six organisations agree with the statement that the costs are unduly burdensome for their organisation. Organisations of all sizes and in each employment sector agree that the costs are unreasonable. Two thirds of these employers have a predominantly female workforce [N=6] and the majority have dealt with more than two pregnancies within the past five years.

It is the case, however, that an employer can usually reclaim 92% of an employees' Statutory Maternity Pay. For small employers the amount which can be reclaimed is 103% if the business qualifies for Small Employers' Relief.

One employer thought there was not sufficient awareness amongst employers of the ability to reclaim costs and that these monies could offset the costs of covering maternity leave:

**“It seems that some employers are not aware that 92% of maternity pay can be claimed back through NICs [National Insurance Contributions] and that this could be used to fund a temporary replacement.” [Private Sector]**

<b>Attitude statement</b>	<b>strongly agree/agree percentage</b>	<b>strongly disagree /disagree percentage</b>	<b>neither agree nor disagree percentage</b>
<b>Male employees feel confident to ask for flexible working arrangements for childcare purposes</b>	57%	15%	28%

More than half of the employers believe that their male employees would feel comfortable requesting a flexible work pattern for childcare purposes; while one in seven employers believed that their male employees would not be comfortable in doing so. More than a quarter of the employers were undecided.

Organisations of all sizes disagreed with the statement, as did both Public Sector and Private Sector employers.

More than half of the employers had a Flexible Working Policy and an Equal Opportunities Policy [N=7]. Around half of the employers have a predominantly male workforce [N=5].

Research by Government Equalities Office Flexible Working: Perceptions of Parents 2010 found that mothers were twice as likely to request flexible working as fathers, and men may be discouraged from requesting flexible working due to perceptions that they would be seen as less committed, their career progress would be negatively affected and they would be concerned about the reactions of colleagues. The responses of some women responding to our survey relating their employment experiences seem to confirm some of these perceptions.<sup>45</sup>

Equality in the labour market will, in part, depend on fathers playing a greater role in child caring responsibilities and it is essential that male employees should feel comfortable in requesting flexible working arrangements in order to share these responsibilities. Barriers to men feeling comfortable in requesting flexible working will not, in fairness, be wholly due to any fault of an employer; cultural norms where women are the main child care providers and perceptions of gender roles play a large part.

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<sup>45</sup> Government Equalities Office; Flexible Working: Perceptions of Parents; 2010



<b>Attitude statement</b>	<b>strongly agree/agree percentage</b>	<b>strongly disagree /disagree percentage</b>	<b>neither agree nor disagree percentage</b>
<b>Colleagues can often show resentment towards team members who are pregnant or on maternity leave</b>	12%	66%	22%

Approximately two out of three employers believed that work colleagues felt no resentment towards employees who are pregnant or on maternity leave.

This is encouraging given that, pregnancy, maternity leave and flexible working arrangements can impact on the wider team and colleagues may feel resentful that they have been given extra work or that they feel greater pressure to meet business targets with fewer resources.

Employers identified managing the impact of employee absences as challenging and so it may be difficult to ensure the impact on work colleagues is minimal. However, planning ahead from the time of notification of the pregnancy was seen as vital to ensuring the impact on the business and on colleagues would be manageable.

Around one in eight employers believed that work colleagues can be resentful of team members who are pregnant or on maternity leave. These employers indicated that they are also challenged by sickness absences during pregnancy and in some cases following maternity leave [N=3].

All employment sectors and both large and small employers agree with this statement that colleagues can show resentment.

There is some evidence that resentment can exist towards pregnant employees and working mothers amongst employers and colleagues. This resentment appears to be based on the impact of absences and resulting assumptions made about commitment and the impact on the business operating to its maximum capabilities.

In general, organisations responding to our survey demonstrate that employers recognise that managing pregnancy, maternity and return to work is a normal and inevitable part of working life which may present challenges for the business. Comments suggest that some of these challenges can be minimised, if planned for in advance, if there is good communication between the pregnant employees and line management and if there is an organisational structure which ensures that work can be re-organised to meet business needs during absences. Some employers indicated that they would appreciate further support and guidance regarding their legal obligations.

**“We are a very inclusive organisation, with a young workforce. Maternity / paternity / shared leave is to be expected. Our team structure means that we can re-organise to ensure there is cover during periods of leave. Team members are made aware of why they are moving and the person on leave returns to the same team and role. We have practices in place that encourage conversation between employees and their line manager to ensure they have a good work life balance.” [Private Sector]**

## 7. Conclusion

### 7.1 Summary

- **The investigation has revealed that many women who shared their employment experiences have encountered unfair treatment or disadvantage due to their pregnancy and that only a small number of these women resort to formal legal action to enforce their rights<sup>46</sup>.**
- **Various employment experiences, good and bad, were replicated across respondents to the online survey, focus group participants and the individual contributors.**
- **Through women's experiences the investigation has identified a number of barriers to equality of opportunity for pregnant employees and new mothers. In general, these barriers arise from personal attitudes, organisational policies and structures and also from wider societal and cultural norms. Further work is required to address these barriers.**
- **It is evident from the experiences of women that these barriers can impact career progression and participation in the labour market. The recognition of the existence of such barriers meant that more than half of the women participating in this formal investigation were pessimistic about their future career opportunities.**
- **Some disparity exists between the perceptions of the women participants in this investigation and those of the employers who contributed. Particularly regarding the opportunities for career progression of pregnant employees and new mothers, the support given to pregnant employees and reasonable contact during maternity leave.**
- **Most employers indicated that they have the policies and practices in place to effectively manage pregnancy, maternity leave and return to work. However, there were a number of issues related to managing pregnancy, maternity leave and return to work which challenged organisations. These issues mainly related to the impact of employee absence from the workplace, reconciling flexible working with the needs of the business and the complexities of the legislation.**

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<sup>46</sup> Just over half of the respondents to the survey reported unfair treatment or were unsure about their employment experiences.

There has been a great deal of interest shown in participating in this formal investigation by women across Northern Ireland who wished to share their employment experiences, both good and bad. The formal investigation provides a “snapshot” of the experiences of female employees in Northern Ireland and a picture of commonplace occurrences as reported through the online survey, focus groups and individual contributions.

It is encouraging that many women participating in this investigation were content that they received the support they required from their employer. Employer actions and behaviours which have supported and assisted participants in their employment, have been identified and reported.

It is also encouraging that the majority of employers who participated indicated that they support and encourage pregnant employees and working mothers. However, some employers indicated that they subscribe to common stereotypes about pregnant employees and working mothers, revealing that some employers require support in managing pregnancy in the workplace.

Indeed, there is disparity between the perceptions and experiences of women and those of employers. For example, the majority of the employers believed that they were supportive of pregnant employees and new mothers; that motherhood did not impact negatively on the career opportunities of employees and that they maintaining reasonable contact with women on maternity leave was important. However, this was not the experience of the women participating in the investigation. Around half of the women felt they could have been better supported; felt that their careers had been put on hold and commonly reported dissatisfaction with contact and the provision of information during their maternity leave.

Although the findings of this investigation cannot be said to represent the population of Northern Ireland in general, the women participating in this investigation in various ways have demonstrated similar employment experiences.

The employment experiences of women participants are corroborated by similar experiences described in the Trade Union submissions to the investigation. These submissions raise issues such as contact during maternity leave, redundancy, inadequate planning for maternity leave cover, inappropriate comments from managers and removal of responsibilities on return to work. As with online survey respondents the Trade Unions report that these experiences impact on the individual’s physical and mental health and opportunities to progress their careers.

In addition, the employment experiences reported in the investigation reflect those for which, on average 170 women each year for the past five years, have sought advice from the Commission. Within the past year the Commission has successfully assisted cases to the Tribunal in which individuals have lost their job through

redundancy, dismissal or the inability to remain in a job where they have received unfair treatment.

## 7.2 Barriers to equality of opportunity

It is clear that despite the good practices which undoubtedly exist and which are reported in this investigation report, a significant number of pregnant employees and working mothers in Northern Ireland continue to face barriers to equality of opportunity in employment.

These barriers impacted on women's capacity to do their jobs to the best of their ability, hindered career opportunities and damaged working relationships which at worst led to unemployment.

Such barriers to equality of opportunity can be seen to broadly arise from:

- **Personal attitudes and behaviours:** Attitudes held about pregnant employees and working mothers which are largely based on negative stereotypes.
- **Organisational policies and structures:** organisational policies and structures may disadvantage pregnant employees and working mothers or create an organisation which is unwilling or unable to be flexible or adapt to change;
- **Societal or cultural norms:** societal or cultural norms refer to the norms which determine women's roles in society and the devaluation of those roles; economic factors determining women's participation in the labour market, and the lack of sufficient affordable, quality childcare in Northern Ireland.

## Personal attitudes and behaviours

The investigation clearly indicates that certain unhelpful attitudes exist towards pregnant employees and working mothers and that these attitudes affect behaviours. These attitudes are evident not only in the comments made by managers and colleagues but also in the actions of employers where individuals have been treated unfairly or indeed, perceive that they have been treated unfairly. Such attitudes may be evidence of the support needed by employers particularly in relation to understanding the legal entitlements and in managing the impact of absences on colleagues.

- Negative attitudes can be a major barrier to equality of opportunity and a barrier to good communication between employer and employee. As a result, decisions made by employers may be based on assumptions about individual capabilities rather than following a discussion with the employee or health and safety risks may be overlooked.
- Such attitudes indicate a belief that pregnant employees and working mothers
  - are less able or less committed than colleagues
  - are a managerial burden
  - are a cost burden
  - abuse their rights.
- Women may be overlooked for various career opportunities, denied promotions or pay rises, or even lose their jobs. They may result in health and safety risks being overlooked or ignored, in inappropriate comments being made and in a work environment which discourages working mothers.
- Where such attitudes are held by senior managers they have the potential to become a workplace culture and to influence work place policies and how these are implemented and affects all women in the organisation. Where line managers hold disapproving attitudes it could mean individual employees are treated differently.
- Inappropriate and negative comments made by managers and colleagues impacted on women's self-confidence. Such comments not only explicitly indicated that an employee's career progression would be impacted but also damaged working relationships and trust between employees and managers. Subtle action taken by employers, often referred to as the "freeze" treatment, negatively affected career opportunities and were a factor in women's decisions to leave employers.

- Flexible working can be viewed as being incompatible with or detrimental to business needs and this may cause resentment towards those who work flexibly, resulting in careers being put “on hold” or employees being viewed as less committed. A greater number of women work flexibly and as a result may experience career detriment or difficulty finding work, especially higher level positions.
- There is evidence of the perception of negative attitudes preventing women from addressing employment issues who believe they would be labelled as troublemakers rather than as employees asserting their rights.

### **Organisational Policies and Structures**

Organisational may act as barriers to equality of opportunity for pregnant employees and working mothers and can result in career detriment, financial loss and job loss.

Organisational policies and structures may act as barriers to equality of opportunity for pregnant employees and working mothers and can result in career detriment, financial loss and job loss. The existence of these barriers demonstrate the support employers need to ensure awareness of legal obligations and to ensure that good practice is shared.

These barriers include:

- Workplace policies and their implementation
- Communication and the provision of information
- Lack of awareness of legislation
- Failure to develop, implement and continually revise workplace policies can act as a barrier to equality of opportunity for female employees and employers may need guidance in developing and implementing policy. In addition, even where good family friendly policies exist, an organisational culture of disapproval of such policies can discourage their implementation.
- Any policy which impacts on an employee’s access to career opportunities, improving salary or ability to do their job may be potentially discriminatory. Policies which focus on equal treatment for all ignore the needs of pregnant women and mothers and can thus limit career progression.

- Some jobs intrinsically present greater health and safety risks than others and the physical effects of pregnancy will be different for each individual. Failure to address health and safety risks to individual pregnant employees can create barriers to equality of opportunity especially where the result is absence from the workplace or unnecessary changes to work duties or hours. Again this is an area where employers may require assistance.
- Similarly, a lack of discussion about what is needed to support an employee during pregnancy, maternity leave and on return to work can impact on career opportunities. As a consequence, adequate adjustments may not be made resulting in absence from work, unnecessary changes to duties, unfair performance appraisals, demotion and financial loss.
- Organisational structures which are inflexible can be a barrier to female employees. A reluctance to consider non-traditional work patterns as suitable for business needs or for higher level positions creates an obvious barrier to career progression and employers may need to be more creative about ways of working. The ability to work from home, flexible start and finish times and a phased return to work following maternity leave were appreciated by women who felt this enabled them to continue working throughout pregnancy or assisted return to work.
- Inability of the organisation to adapt to changing circumstances and to manage the impact of absence from the workplace can also disadvantage pregnant employees and working mothers. With the increased feminisation of the workforce it is essential that organisations accept dealing with pregnancy as a normal part of working life and have structures and policies in place which plan for and manage it. This can be challenging particularly for small businesses or organisations which need to cover maternity leave with specific skill sets but difficulties can be minimised with good planning.
- Employers are obliged to provide information during an employee's maternity leave to ensure that they have the same career opportunities as others. Failure to communicate such information to employees on maternity leave has a direct impact on careers and highlights the need to agree reasonable contact prior to the commencement of maternity leave.
- Failure to provide timely and accurate information about rights and entitlements potentially creates barriers to rights and entitlements. Organisations should be up to date with the relevant legislation and managers aware of both legislation and organisational policies. It is in the interest of employers to keep apprised of



changes to legislation and to keep policies accurate and up to date, in order to meet their obligations as employers. Employers have indicated that they find keeping up to date with relevant changes to legislation challenging and that they require better comprehensive guidance.

## **Societal and Cultural Norms**

Societal and cultural norms refer to the norms which determine women's roles in society and the devaluation of those roles, economic factors determining employment rates and the lack of sufficient affordable, quality childcare in Northern Ireland.

- Traditional gender roles can create barriers to:
  - women participating in the labour market,
  - women working in high level well paid jobs
  - women working in jobs which utilise their qualifications and skills,
- Traditional gender roles create barriers to women's participation in the labour market leading to fewer women actively participating in the labour market, fewer women in full time jobs, fewer self-employed women. <sup>47</sup>
- To some extent equality of opportunity in the labour market relies on disregarding these established gender roles. The introduction of Shared Parental Leave legislation is designed to encourage fathers to share more responsibility for child care, however, it is likely to take some time before significant impact is made.
- Cuts in public sector employment, where women make up the majority of the workforce, reduces women's earning capacity as they look for work in other employment sectors. The Private Sector, for example, typically offers lower levels of pay and lower level part time jobs where women tend to be concentrated are usually poorly paid. <sup>48</sup>
- This formal investigation has reported that, although participants employed in the Public Sector indicated that they were treated unfairly, a greater number of participants working in the Private Sector and Voluntary and Community Sectors reported unfair treatment and disadvantage. It is therefore, vital that these employment sectors are supported in developing policies and good practice in order to meet their obligations towards pregnant employees and working mothers.

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<sup>47</sup> And <sup>47</sup>The Changing Labour Market: delivering for women, delivering for growth. Fawcett Society April 2013

- The economy also influences the types of employment contracts offered. The recent recession saw an increase in non-permanent contracts, such as zero hours contracts which are typically less well paid. As such, women working on these contracts may not have job security or entitlements such as, protection from unfair dismissal, the right to return to work following maternity leave or entitlement to statutory maternity pay. This investigation has reported that participants with such contracts were more vulnerable to unfair treatment and, in particular, job loss.
- Access to affordable childcare places is a major barrier for working mothers in Northern Ireland. The high cost of childcare does not encourage mothers, particularly in low paid jobs to return to work. As such, the ability to work flexibly enables women who wish to return to work to do so, but where this is not an option they may not be able to continue in employment. The gap in employment which many women experience due to childcare has a lifetime adverse impact on finances. One third of the respondents to the online survey who became unemployed remained unemployed at the time of completing the survey.

In conclusion, in order for female employees to have equality of opportunity in the labour market there essentially needs to be changes at societal level, organisational level and an individual level, particularly if a shared approach to caring for children is to be successful.

Many participants responding to our online survey had taken maternity leave prior to April 2015; however, although they were not specifically asked, there was no indication from those who were pregnant at the time of the survey that they would be taking advantage of the shared parental leave provisions.

It is essential that the provision of affordable and quality childcare is addressed and that organisations create a supportive environment to ensure that good policies are in place and are implemented to enable working mothers balance work and family life. Provision of childcare is an issue which the Department of Education is taking forward and aims to address the availability of affordable, quality and flexible childcare.

Information about legislation and good practice should be accessible to all employers and employees and relatable to individual circumstances to ensure that organisations are aware of their obligations and employees have sufficient knowledge about their entitlements.

Good communication and provision of information are key components of a supportive employer. Dialogue should begin from the point when the employer has been informed of the pregnancy to meet the needs and obligations of the employer and of the employee. It is in the interest of both the employee and the employer to identify individual needs and plans and can ensure good working relationships where employee and employer work together to meet the needs of the business.

Negative attitudes towards pregnant employees and working mothers may only be addressed when managing pregnancy, maternity leave and return to work are treated as a normal part of working life. It is essential that businesses have the support to ensure that they have strategies and practices in place to manage each stage effectively and that there is greater acceptance of flexibility in working arrangements.

## 8. Recommendations

Our investigation reports that the vast majority of employers confirmed their commitment to supporting women during and after their pregnancies and that approximately half of women participants agreed that this had been their employment experience. However, in spite of these findings and the existence of legislation which makes discrimination unlawful and promotes workplace flexibility, there remains a significant section of women who experience unfair treatment and lack of flexibility during pregnancy, maternity leave and/or return to work. It is clear that changes are required to support the increasingly important role of women in the Northern Ireland workforce.

Poor employment experiences were detrimental not only for women, who reported negative impacts on career opportunities, health, family and finances, but can also impact negatively on employers. Employers who fail to treat pregnant employees or new mothers fairly, or who fail to promote a family friendly work environment may also fail to retain skills, fail to attract skills and fail to maintain good staff morale and/or productivity.

The issues and barriers to equality of opportunity for pregnant employees and new mothers identified by this investigation need to be addressed at an individual level, organisational level and societal level. Our recommendations are directed at government, statutory agencies, business and voluntary and community organisations and individual businesses. They aim to promote change at all levels to make Northern Ireland workplaces fairer and more supportive of pregnant employees and new mothers.

We have identified the following areas for action:

Access to Information

Improving Employer Practice

Leading Change

## Access to Information

There is a comprehensive legal framework providing protection for pregnant employees and new mothers in the workplace. Just over one in four [27%] employers responding to our survey were dissatisfied with access to information about their legal obligations. One fifth of women [20%] respondents stated they were not well informed of their rights, while some women were concerned that information provided by their employer was neither accurate nor up to date.

There is room for improvement in the provision and accessibility of information for both employees and employers. It is essential that employees and employers understand their rights and obligations and it is necessary that individuals feel able to pursue their rights with confidence. Information about legal obligations and rights must be accessible and easily applied to individual circumstances.

Keeping up to date with changes to legislation protecting the rights of pregnant employees and new mothers was a challenge for almost two in five employers [38%]. Small business owners, in particular, may have difficulty with time and resources to keep abreast of legislation and may have difficulty in relating existing guidance to their particular situation. The costs of arranging cover for maternity leave was identified as a challenge for small business owners indicating that there may be some requirement to raise awareness of the ability of small business owners to apply for reimbursement of up to 103% of Statutory Maternity Pay and compensation for administration costs.

Currently there is uncertainty about the impact of leaving the European Union on UK legislation. The Prime Minister, Theresa May, pledged at the Conservative party conference in October 2016 that “...existing workers’ legal rights will continue to be guaranteed in law...we’re going to see workers’ rights not eroded, and not just protected, but enhanced...”.

Whatever the outcome, employers will require ease of access to the information they require so that managers and employees are made aware of their current obligations and rights.

### **It is recommended that there is improved access for women to advice and information:**

- The Equality Commission will encourage improved access for women to advice and information on employment rights during pregnancy, maternity leave and on return to work. This will include reviewing the availability of information from a range of sources and working with others to develop accessible, comprehensive web based guidance in relation to pregnancy and maternity rights.

**It is recommended that there is improved access for employers to advice and information.**

- The Equality Commission will work with a range of partners to ensure that employers have access to “best practice” guidance. This will include help with ensuring up to date knowledge of relevant legislation, managing the impact of employee absence and other issues relating to maternity leave.
- The Equality Commission will develop and publish new wide ranging and accessible guidance on its website for those employing pregnant women and mothers.

### **Improving Employer Practice**

Most employers responding to our survey recognise the benefits of providing a family friendly work environment and of developing policies which acknowledge the needs of working mothers. They were aware of their legal responsibilities, communicated policies to managers and believed they were generally supportive of women.

However, this investigation has reported that in many women’s experience the existence of good organisational policies does not necessarily mean that they are implemented by employers/managers. In addition, some women believed that the implementation of certain workplace policies meant they were treated unfairly due having taken maternity leave or worked reduced hours.

Many women participating in the investigation highlighted the benefits of a workplace culture where frequent and open communication between employees and managers ensured that policies are implemented effectively and there is adequate planning for changes in circumstances. Encouraging better communication between employees and employers can assist in assessing the needs of pregnant employees and new mothers, in planning to meet those needs and also in arriving at compromises where there are conflicting individual and business needs.

Employers reported that they were challenged by some aspects of managing pregnancy, maternity leave and return to work, such as, accommodating flexible working requests; while women reported a lack of consideration of risks to health and safety, experienced difficulties with workplace flexibility or lack of planning for their maternity leave/return to work.

## **Flexible working:**

Employee rights to request flexible working are well legislated for, and the benefits of flexible working with regard to the attraction/retention of skills and talent, and to staff morale, well documented. Women participating in this investigation felt valued and supported by employers who allowed flexibility in working arrangements.

Flexibility itself, however, was reported to have consequences women. Flexible working arrangements were said to impact negatively on their career opportunities especially in workplaces where working long hours and workplace presence were viewed as indicators of commitment to work. These views are also reflected in comments received by women from managers and colleagues and indicate the existence of negative stereotypes of pregnant employees or new mothers.

Such a workplace culture can create barriers to career progression for female employees and, as recent research in to the Public Sector in Northern Ireland has reported, particularly applies at senior levels.<sup>49</sup> Employees may, as a result be reluctant to request flexible working or feel resigned to career penalties associated with flexible working arrangements.

Just over half [54%] of the employers responding to our survey believed that flexible working benefitted their organisation while a similar number highlighted that they have found it challenging to accommodate flexible working requests [52%], More than one third of employers [35%] had difficulty in creating a positive atmosphere around flexible working arrangements.

It is, of course, important that flexible working arrangements benefit the employee, the team and the organisation as a whole. Employers may have valid concerns regarding the compatibility with the nature of work or operating hours of the organisation and/or the impact on colleagues and managers. However, employers should be encouraged to change workplace culture by challenging and removing detrimental stereotypes. They should be encouraged to consider changes to management style and practice in order to make flexible working arrangements work.

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<sup>49</sup> Recent research has identified such workplace culture as a barrier to women in senior positions in the Public Sector in NI. An Investigation of Gender Equality Issues at the Executive Level of the Northern Ireland Public Sector: Findings from Study of Current and Aspiring Executives' Perceptions, January 2016, Ulster University Business School, OFMDFM

## Health and Safety:

Employers are legally required to ensure that working conditions do not put the health of pregnant women and new mothers at risk. There is no legal requirement to conduct a risk assessment when informed of an employee's pregnancy, however, employers are legally obliged to review general risk assessments as circumstances change, particularly at different stages of pregnancy<sup>50</sup>.

Creating a safe work environment may be more challenging for some work environments than for others and will be based on individual circumstances, making good communication essential.

Many women responding to our survey reported a lack of concern about risks to health and safety; including failure to discuss health and safety issues, or to take action to remove risks that have been identified. They reported that this caused stress due to concern about the health of their baby. It is clearly good practice and good business sense to consider risks to health and safety when notified of pregnancy.

- Breast feeding

Also included in Health and Safety guidance is an employer's responsibilities towards breast feeding mothers.

Employers must provide suitable rest facilities for breast feeding mothers. These facilities should provide a private, healthy and safe environment in which to express and store milk. Employers should also offer different or flexible working patterns for breast feeding mothers where required, and if practical, employees should be given time off during working hours to breastfeed if their baby is cared for nearby, or to express breast milk.

In 2013 The Department of Health, Social Services and Public Safety [now the Department of Health] published a ten-year breastfeeding strategy for Northern Ireland which aims to "protect, promote, support and normalise" breastfeeding. The strategy recognises that there is a need for workplace policies which support and facilitate breastfeeding mothers on return to work.<sup>51</sup>

Some of the women responding to our survey praised the fact that their employer had a specific policy in place which facilitated breastfeeding and enabled them to return to work following maternity leave.

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<sup>50</sup> <https://www.nidirect.gov.uk/publications/new-and-expectant-mothers-who-work-brief-guide-your-health-and-safety>

<sup>51</sup> <https://www.health-ni.gov.uk/publications/breastfeeding-strategy>



## Other workplace policies

As mentioned above, the existence of stereotypes about pregnant employees or working mothers within the workplace may filter into an organisation's policies and practices, including promotion or performance.

The SDO makes it unlawful to treat a woman less favourably because she is pregnant, or has exercised or sought to exercise her statutory right to maternity leave. Throughout this investigation, women reported that they believed various workplace policies did not provide equality of opportunity for women who had taken maternity leave, particularly with regard to opportunities for career progression.

The Equality Commission will continue to provide training and advice to employers regarding their obligation under the SDO.

**It is recommended that employers review their existing or developing policies, practices and procedures with a *specific focus* on:**

- Addressing the risks to **health and safety** of pregnant employees and new mothers including giving consideration to adjustment to work load and work environment during pregnancy and arrangements for breastfeeding mother post maternity leave.
- Minimising negative impacts on **career progression** on pregnant employees and those on/ returning from maternity leave - such impacts may include dilution of work responsibilities or otherwise being marginalised; being excluded from training or other progression opportunities; being overlooked for promotion opportunities; unlawful termination of employment.
- Eliminating potential negative impacts on **earnings** such as non-payment or reduction of pay rise or bonus payments.
- Ensuring a workplace where there is zero tolerance of inappropriate or **negative comments**, for example, comments, explicit or otherwise, implying that pregnant employees or those returning from maternity leave are less committed or less able.

## Leading change

Creating a work environment where pregnant employees and mothers are valued and supported is good business sense and ultimately beneficial for the Northern Ireland economy. Such work environments can make an organisation attractive to the best talent, ensure it retains that talent and makes the best use of the investment made in staff.

This investigation has highlighted, however, that a supportive work environment was not the experience or perception of many of the pregnant women and mothers who participated.

Small organisations, in particular, may need support and guidance; in managing the impact of absences, in arranging to cover maternity leave or to accommodate flexible working requests.

Support for change needs to stem from the Northern Ireland Executive and business organisations, and, at individual organisation level, from senior management.

A wide range of organisations, statutory, business and voluntary, are currently involved in providing support, information and advice to employers and employees. A partnership approach to change can ensure that the issues are understood from all directions, that best practice is widely shared, and that there is a comprehensive approach to raising awareness of legal rights and responsibilities.

The Commission has previously advocated the promotion of greater gender equality in Northern Ireland and has made recommendations in respect of revisions to the gender equality strategy for Northern Ireland. This investigation provides powerful evidence that supports those recommendations and they are reiterated in this report.

It was recommended that the gender equality strategy:

- Encourage employers across all sectors to show leadership at a senior level to gender equality and to building an organisational culture that promotes gender equality in the workplace.
- Encourage flexible working practices and the equal sharing of family roles/responsibility between women and men including the monitoring the implementation of the Work and Families Act (NI) 2015.
- Reduce sex discrimination in employment, particularly in the area of pregnancy and maternity discrimination.
- Develop and implement an effective Childcare Strategy that ensures appropriate, accessible and affordable childcare provision.

The Northern Ireland Executive can provide leadership to promote and highlight the economic and business benefits of supporting and encouraging pregnant employees and new mothers. The Equality Commission is willing to work in partnership with relevant Executive Departments and others to encourage the need for change. Employers should be encouraged to work towards changing work environments where detrimental attitudes and poor practices lead to loss of staff; devaluation of part-time roles or a failure to invest in careers. Senior management should be encouraged to foster supportive workplace environments where open communication is encouraged.

**In addition to the recommendations above and arising specifically from this investigation we recommend that relevant Executive Departments work in partnership with the Equality Commission and other appropriate bodies to:**

- Develop and communicate the **economic benefits** of utilising and retaining the skills and experience of pregnant women and new mothers, and develop effective approaches to attracting, developing and retaining women in the workforce before, during and after pregnancy.
- Raise awareness of the rights of pregnant women and new mothers and employers' responsibilities towards them; and to ensure continued access to justice for women who have experienced discrimination.
- Monitor progress by tracking mothers' experience of their treatment in the workplace.

The investigation is now complete, but the Commission will continue its work to encourage action on these recommendations which aim to promote change and to make Northern Ireland workplaces fairer for, and more supportive of, pregnant employees and new mothers.

## APPENDIX 1 RESPONDENTS TO WOMEN'S SURVEY

Table 1: Age Profile of Respondents

<b>Age Group</b>	<b>Percentage of Respondents</b>	<b>Number of respondents</b>
<b>24 or under</b>	1.0%	9
<b>25-29</b>	11.9%	106
<b>30-34</b>	39.2%	350
<b>35 or above</b>	47.9%	428
<b>Total</b>		<b>893</b>

Table 2: Living Arrangements of Respondents

<b>Living Arrangements</b>	<b>Percentage of Respondents</b>	<b>Number of respondents</b>
<b>I live with my partner/husband</b>	92.0%	819
<b>I live on my own</b>	1.2%	11
<b>I live on my own with my child(ren)</b>	5.2%	46
<b>I live with extended family/friends</b>	1.2%	11
<b>Other (please specify)</b>	0.3%	3
<b>Total</b>		<b>890</b>

Table 3: Employment Status of Respondents

<b>Employment Status</b>	<b>Percentage of Respondents</b>	<b>Number of Respondents</b>
<b>Employed</b>	93.2%	826
<b>Self employed</b>	2.4%	21
<b>Not employed</b>	4.4%	39
<b>Total</b>		<b>886</b>

Table 4: Employment

Sector worked in during pregnancy

<b>Sector worked in during pregnancy</b>	<b>Percentage of Respondents</b>	<b>Number of Respondents</b>
<b>Public Sector</b>	72.5%	549
<b>Private Sector</b>	19.2%	145
<b>Voluntary /Community Sector</b>	7.9%	60
<b>Don't Know</b>	0.4%	3
<b>Total</b>		<b>757</b>

Table 5: Business/Industry employed in during pregnancy

<b>Business/Industry</b>	<b>Percentage of respondents</b>	<b>Number of Respondents</b>
<b>Education</b>	37.0%	281
<b>Public Administration</b>	16.6%	126
<b>Health</b>	15.4%	117
<b>Professional, Scientific and Technical</b>	7.6%	58
<b>Retail and Wholesale</b>	4.3%	33
<b>Business Administration and Support Services</b>	6.2%	47
<b>Information and Communication</b>	2.8%	21
<b>Manufacturing</b>	2.6%	20
<b>Finance and Insurance</b>	2.1%	16
<b>Construction</b>	1.1%	8
<b>Agriculture, Forestry &amp; Fishing</b>	1.1%	8
<b>Accommodation and Food Services</b>	1.1%	8
<b>Property</b>	0.5%	4
<b>Transport &amp; Storage</b>	0.5%	4
<b>Other*</b>	1.3%	10
<b>Total</b>		<b>761</b>

\*arts, entertainment and sport and leisure, church work

Table 6: Length of Service before most recent pregnancy

<b>Length of service before pregnancy</b>	<b>Percentage of Respondents</b>	<b>Number of Respondents</b>
<b>Less than 1 year</b>	7.5%	55
<b>Between 1 and 2 years</b>	8.2%	60
<b>Between 2 and 3 years</b>	9.8%	72
<b>More than 3 years</b>	74.5%	549
<b>Total</b>		<b>736</b>

Table 7: Size of Organisation worked for during pregnancy

<b>No of employees</b>	<b>Percentage of Respondents</b>	<b>Number of Respondents</b>
<b>1-4</b>	2%	15
<b>5-10</b>	6%	43
<b>11-49</b>	14%	105
<b>50+</b>	78%	592
<b>Total</b>		<b>755</b>

Table 8: Location of workplace during pregnancy

<b>Location of workplace during pregnancy</b>	<b>Percentage of Respondents</b>	<b>Number of Respondents</b>
<b>City</b>	62.2%	496
<b>Large town</b>	20.5%	163
<b>Small town</b>	10.9%	87
<b>Rural</b>	5.3%	42
<b>Don't know</b>	0.3%	2
<b>Other*</b>	0.9%	7
<b>Total</b>		<b>797</b>

\*Includes those who travel across NI for work purposes or who work from home

Table 9: Distance travelled to workplace during pregnancy

<b>Distance travelled to workplace during pregnancy</b>	<b>Percentage of Respondents</b>	<b>Number of Respondents</b>
<b>Less than 5 miles</b>	27.7%	210
<b>5-10 miles</b>	22.9%	174
<b>10-20 miles</b>	23.9%	181
<b>20-30 miles</b>	13.5%	102
<b>More than 30 miles</b>	12.0%	91
<b>Total</b>		<b>758</b>

Table 10: Type of employment contract during pregnancy

<b>Type of Contract during pregnancy</b>	<b>Percentage of Respondents</b>	<b>Number of Respondents</b>
<b>Permanent</b>	85.8%	631
<b>Temporary</b>	3.7%	27
<b>Fixed term</b>	7.9%	58
<b>Zero hours</b>	1.0%	7
<b>Casual Other</b>	1.0%	8
<b>Don't know</b>	0.7%	5
<b>Total</b>		<b>736</b>



Table 11: Working pattern during pregnancy

<b>Working pattern during pregnancy</b>	<b>Percentage of Respondents</b>	<b>Number of Respondents</b>
Full time	78.4%	571
Part time	21.6%	157
<b>Total</b>		<b>728</b>

Table 12: Gross annual salary during pregnancy

<b>Gross Annual salary</b>	<b>Percentage of Respondents</b>	<b>Number of Respondents</b>
£10,000-£19,999	25.2%	184
£20,000-£29,999	38.0%	278
£30,000-£39,000	26.0%	190
£40,000-£49,999	9.6%	70
£50,000 or more	1.2%	0
<b>Total</b>		<b>731</b>

Table 13: Current status

<b>Status</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
Pregnant	13.0%	101
On maternity Leave	16.3%	127
Returned to work after birth of child	64.7%	504
Not returned to work After birth of child	5.9%	46
<b>Total</b>		<b>778</b>

Table 14: The employment experience of respondents

<b>Employment Experience</b>	<b>Percentage of Respondents</b>	<b>Number of Respondents</b>
<b>Treated unfairly</b>	36.2%	328
<b>Not treated unfairly</b>	48.1%	436
<b>Not sure</b>	15.7%	142
<b>Total</b>		<b>906</b>

Table 14.1: Respondents who felt they had been treated unfairly by employment sector where known N=266

<b>Sector worked in during pregnancy</b>	<b>Percentage of respondents unfairly or disadvantaged</b>	<b>Number of respondents treated unfairly or disadvantaged</b>	<b>Total number known to be employed in each sector</b>
<b>Public Sector</b>	29.5%	162	549
<b>Private Sector</b>	51.7%	75	145
<b>Voluntary/Community</b>	45.0%	27	60
<b>Don't Know</b>	66.7%	2	3
<b>Total</b>		<b>266</b>	

Table 14.2: Respondents who felt they had been treated fairly by employment sector where known N=376

<b>Sector worked in during pregnancy</b>	<b>Percentage of respondents treated fairly</b>	<b>Number of respondents treated fairly</b>	<b>Total number known to be employed in each sector</b>
<b>Public Sector</b>	53.0%	291	549
<b>Private Sector</b>	36.5%	53	145
<b>Voluntary/Community</b>	51.7%	31	60
<b>Don't Know</b>	33.3%	1	3
<b>Total</b>		<b>376</b>	

Table 14.3: Respondents who were unsure about their treatment by employment sector where known N=266

<b>Sector worked in during pregnancy</b>	<b>Percentage of respondents not sure</b>	<b>Number of respondents not sure</b>	<b>Total number known to be employed in each sector</b>
<b>Public Sector</b>	17.5%	96	549
<b>Private Sector</b>	11.9%	17	145
<b>Voluntary/Community</b>	3.3%	2	60
<b>Don't Know</b>	0.0%	0	3
<b>Total</b>		<b>115</b>	<b>757</b>

Table 15.1: Employment experience by type of contract during pregnancy

<b>Type of Contract during pregnancy</b>	<b>Treated unfairly/disadvantaged</b>						<b>Total [Contract]</b>
	<b>Treated Unfairly</b>		<b>Not Treated Unfairly</b>		<b>Unsure About Treatment</b>		
	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>N</b>
<b>Permanent</b>	34.4%	217	50.4%	318	15.2%	96	<b>631</b>
<b>Temporary</b>	25.9%	7	63.0%	17	11.1%	3	<b>27</b>
<b>Fixed term</b>	44.8%	26	43.1%	25	12.1%	7	<b>58</b>
<b>Zero hours</b>	57.1%	4	28.6%	2	14.3%	1	<b>7</b>
<b>Casual</b>	50.0%	2	25.0%	1	25.0%	1	<b>4</b>
<b>Other</b>							
<b>Don't know</b>	0%	0	100%	1	0	0	<b>1</b>
<b>Total [Treatment]</b>		<b>256</b>		<b>364</b>		<b>108</b>	<b>728</b>

Table 15.2: Employment experience and working pattern

Working Pattern	Treated unfairly/disadvantaged						Total [Working Pattern]
	Treated Unfairly		Not Treated Unfairly		Unsure About Treatment		
	%	N	%	N	%	N	
Full time	36%	206	49%	281	15%	84	571
Part time	33%	52	51%	80	16%	25	157
<b>Total [Treatment]</b>		<b>258</b>		<b>361</b>		<b>109</b>	<b>728</b>

Table 15.3: Loss of job and contract

Contract	Lost Job		Total [Contract]
	Percentage of Respondents	Number of Respondents	
Permanent	3.2%	20	631
Fixed Term	21.0%	12	57
Temporary	18.5%	5	27
Zero hours	28.6%	2	7
Don't Know		2	
<b>Total</b>		<b>39</b>	

Table 16.1: Respondents who believed they treated unfairly, by Industry worked in during pregnancy

<b>Business/Industry</b>	<b>Respondents Treated Unfairly</b>		
	Percentage of Respondents	Number of respondents	Total employed in Industry /Business
<b>Information and Communication</b>	43.0%	9	21
<b>Professional, Scientific and Technical</b>	37.9%	22	58
<b>Business Administration and Support Services</b>	38.3%	18	47
<b>Education</b>	30.2%	85	281
<b>Health</b>	32.5%	38	117
<b>Public Administration</b>	31.0%	39	126
<b>Agriculture, Forestry and Fishing</b>	37.5%	3	8
<b>Manufacturing</b>	40.0%	8	20
<b>Transportation and Storage</b>	25.0%	1	4
<b>Finance and Insurance</b>	43.8%	7	16
<b>Retail and Wholesale Trade</b>	66.7%	22	33
<b>Accommodation and Food Services</b>	37.5%	3	8
<b>Property</b>	50.0%	2	4
<b>Construction</b>	100.0%	8	8
<b>Other</b>	20.0%	2	10
<b>Total</b>			<b>761</b>

Table 16.2: Respondents who believed they treated fairly, by Industry worked in during pregnancy

<b>Business/Industry</b>	<b>Respondents Treated Fairly</b>		
	Percentage of Respondents	Number of respondents	Total employed in Industry /Business
<b>Information and Communication</b>	47.6%	10	21
<b>Professional, Scientific and Technical</b>	48.3%	28	58
<b>Business Administration and Support Services</b>	51.1%	24	47
<b>Education</b>	52.0%	146	281
<b>Health</b>	54.7%	64	117
<b>Public Administration</b>	48.4%	61	126
<b>Agriculture, Forestry and Fishing</b>	62.5%	5	8
<b>Manufacturing</b>	40.0%	8	20
<b>Transportation and Storage</b>	75.0%	3	4
<b>Finance and Insurance</b>	43.8%	7	16
<b>Retail and Wholesale Trade</b>	24.2%	8	33
<b>Accommodation and Food Services</b>	62.5%	5	8
<b>Property</b>	50.0%	2	4
<b>Construction</b>	0.0%	0	8
<b>Other</b>	70.0%	7	10
<b>Total</b>			<b>761</b>

Table 16.3: Respondents who were unsure about their treatment by Industry worked in during pregnancy

Business/Industry	Respondents Not Sure about Treatment		
	Percentage of Respondents	Number of respondents	Total employed in Industry /Business
<b>Information and Communication</b>	14.3%	3	21
<b>Professional, Scientific and Technical</b>	15.5%	9	58
<b>Business Administration and Support Services</b>	10.6%	5	47
<b>Education</b>	17.8%	50	281
<b>Health</b>	12.8%	15	117
<b>Public Administration</b>	20.6%	26	126
<b>Agriculture, Forestry and Fishing</b>	0.0%	0	8
<b>Manufacturing</b>	20.0%	4	20
<b>Transportation and Storage</b>	0.0%	0	4
<b>Finance and Insurance</b>	12.5%	2	16
<b>Retail and Wholesale Trade</b>	9.1%	3	33
<b>Accommodation and Food Services</b>	0.0%	0	8
<b>Property</b>	0.0%	0	4
<b>Construction</b>	0.0%	0	8
<b>Other</b>	10.0%	1	10
<b>Total</b>			<b>761</b>

Table 17.1: Relationship between salary and employment experience: Treated Unfairly

Gross Annual salary	Treated Unfairly		Total respondents known in each salary band
	Percentage of Respondents	Number of Respondents	
£10,000-£19,999	38%	70	184
£20,000-£29,999	31.9%	88	276
£30,000-£39,000	36.8%	70	190
£40,000-£49,999	33.3%	23	69
£50,000 or more	55.6%	5	9
<b>Total</b>		<b>256</b>	

Table 17.2: Relationship between salary and employment experience: Treated Fairly

Gross Annual salary	Treated fairly		Total respondents known in each salary band
	Percentage of Respondents	Number of Respondents	
£10,000-£19,999	49.0%	90	184
£20,000-£29,999	52.2%	144	276
£30,000-£39,000	46.8%	89	190
£40,000-£49,999	52.2%	36	69
£50,000 or more	33.3%	3	9
<b>Total</b>		<b>362</b>	



Table 17.3: Relationship between salary and employment experience: Unsure about treatment

Gross Annual Salary	Unsure about treatment		Total respondents known in each salary band
	Percentage of Respondents	Number of Respondents	
£10,000-19,999	13.0%	24	184
£20,000-29,999	15.9%	44	276
£30,000-39,000	16.4%	31	190
£40,000-49,999	14.5%	10	69
£50,000 or more	11.0%	1	9
<b>Total</b>		<b>110</b>	

Table 18: Respondents who changed jobs: Sector originally employed in and new employment Sector [N=54]

Original employment sector	New employment sector	Percentage of Respondents	Number of Respondents
Public	Public	86%	19
	Private	0%	0
	Voluntary & Community	5%	1
	<b>Total [plus not known]</b>		<b>22</b>
Private	Public	43.0%	9
	Private	38.0%	8
	Voluntary & Community	4.7%	1
	Self-employed	9.6%	2
	<b>Total [plus not known]</b>		<b>21</b>
Voluntary & Community	Public	18.0%	2
	Private	19.0%	1
	Voluntary & Community	73.0%	8
	<b>Total</b>		<b>11</b>

Table 19: Respondents who have or who intend to return to work following maternity leave

<b>Will return to work/have returned to work</b>	<b>Percentage of Respondents</b>	<b>Number of respondents</b>
<b>Yes</b>	91.6%	674
<b>No</b>	5.1%	38
<b>Not sure</b>	3.3%	24
<b>Total</b>		<b>736</b>

Table 20: Respondents who intend to return/have returned to work for same employer

<b>Return to work for same employer</b>	<b>Percentage of Respondents</b>	<b>Number of Respondents</b>
<b>Yes</b>	<b>89.0%</b>	<b>594</b>
<b>No</b>	<b>11.0%</b>	<b>73</b>
<b>Total</b>		<b>667</b>

Table 21: Respondents who changed their employer during pregnancy

<b>Action taken</b>	<b>Percentage of Respondents</b>	<b>Number of respondents</b>
<b>Changed employer /left work during pregnancy</b>	8.7%	65
<b>Did not change employer during pregnancy</b>	91.3%	677
<b>Total</b>		<b>742</b>

Table 22: Respondents who left or will leave employment by gross annual salary

<b>Gross annual Salary</b>	<b>Percentage of respondents who did not/do not intend to return to work</b>	<b>Number of respondents who did not/do not intend to return to work</b>	<b>Total of respondents in each salary band</b>
<b>£10k-£19,999</b>	46.5%	40	86
<b>£20k-£29,999</b>	12.1%	8	66
<b>£30k-£39,999</b>	20.5%	8	39
<b>£40k-£49,999</b>	29.4%	5	17
<b>£50k +</b>	0.0%	0	0
<b>Total</b>		<b>61</b>	

Table 23: Unfair treatment or disadvantage reported by respondents

<b>Unfair Treatment</b>	<b>Percentage of Respondents</b>	<b>Number of Respondents</b>
<b>Made redundant</b>	9.4%	21
<b>Dismissed</b>	2.7%	6
<b>Contract not renewed</b>	8.5%	19
<b>Moved to a casual work contract</b>	0.4%	1
<b>Salary/bonus was reduced</b>	10.7%	24
<b>No pay rise/bonus or less than colleagues</b>	18.8%	42
<b>Hours changed against my wishes</b>	13.8%	31
<b>Role changed against my wishes</b>	40.2%	90
<b>Ante natal appointment problems</b>	7.1%	16
<b>No health and safety risk assessment</b>	52.9%	119
<b>Total Respondents</b>		<b>225</b>

Table 24: Failure to conduct Health & Safety risk assessment by Industry

<b>Industry</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>Accommodation &amp; Food Services</b>	12.5%	1
<b>Agriculture Forestry &amp; Fishing</b>	12.5%	1
<b>Business Administration &amp; Support</b>	4.3%	2
<b>Construction</b>	12.5%	1
<b>Education</b>	10.3%	29
<b>Finance &amp; Insurance</b>	25.0%	4
<b>Health</b>	17.1%	20
<b>Information &amp; Communication</b>	9.5%	2
<b>Manufacturing</b>	20.0%	4
<b>Professional, Scientific &amp; Technical</b>	20.6%	12
<b>Property</b>	75.0%	3
<b>Public Administration</b>	7.9%	10
<b>Retail and Wholesale Trade</b>	33.3%	11
<b>Other</b>	10%	1
<b>Not Known</b>	12.4%	18
<b>Total</b>		<b>119</b>

Table 25: Respondents whose salary and/or bonus payments were affected

<b>Industry</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>Accommodation &amp; Food Services</b>	37.5%	3
<b>Construction</b>	100.0%	8
<b>Education</b>	4.3%	12
<b>Finance &amp; Insurance</b>	6.3%	1
<b>Health</b>	5.1%	6
<b>Information &amp; Communication</b>	4.8%	1
<b>Manufacturing</b>	20.0%	4
<b>Professional, Scientific &amp; Technical</b>	13.8%	8
<b>Property</b>	50.0%	2
<b>Public Administration</b>	4.8%	6
<b>Retail and Wholesale Trade</b>	24.2%	8
<b>Transport &amp; Storage</b>	25.0%	1
<b>Not Known</b>	2.8%	4
<b>Total</b>		<b>66</b>

Table 26: Respondents whose work duties were changed against their wishes

<b>Industry</b>	<b>Percentage of women</b>	<b>Number of women</b>
<b>Accommodation &amp; Food Services</b>	25.0%	2
<b>Agriculture Forestry &amp; fishing</b>	37.5%	3
<b>Construction</b>	62.5%	5
<b>Education</b>	7.5%	21
<b>Finance &amp; Insurance</b>	25.0%	4
<b>Health</b>	10.3%	12
<b>Information &amp; Communication</b>	14.3%	3
<b>Manufacturing</b>	10.0%	2
<b>Public Administration</b>	10.3%	13
<b>Business Administration &amp; Support</b>	12.8%	6
<b>Retail and Wholesale Trade</b>	15.2%	5
<b>Transport &amp; Storage</b>	25.0%	1
<b>Professional Scientific &amp; Technical</b>	8.6%	5
<b>Property</b>	25.0%	1
<b>Not Known</b>	4.8%	7
<b>Total</b>		<b>90</b>

Table 27: Respondents who lost their job

<b>Industry</b>	<b>Percentage of women</b>	<b>Number of women</b>
<b>Manufacturing</b>	40.0%	8
<b>Professional Scientific &amp; Technical</b>	17.2%	10
<b>Business Administration &amp; Support</b>	6.4%	3
<b>Health</b>	2.6%	3
<b>Construction</b>	12.5%	1
<b>Retail and Wholesale Trade</b>	12.1%	4
<b>Information &amp; Communication</b>	23.8%	5
<b>Finance and Insurance</b>	6.3%	1
<b>Education</b>	1.4%	4
<b>Property</b>	25.0%	1
<b>Public Administration</b>	1.6%	2
<b>Not Known</b>	2.8%	4
<b>Total</b>		<b>46</b>

Table 28: Respondents whose working hours were changed against their wishes

<b>Industry</b>	<b>Percentage of women</b>	<b>Number of women</b>
<b>Accommodation &amp; Food Services</b>	12.5%	1
<b>Business Administration &amp; Support</b>	6.4%	3
<b>Education</b>	1.8%	5
<b>Finance &amp; Insurance</b>	6.3%	1
<b>Health</b>	6.0%	7
<b>Information &amp; Communication</b>	4.8%	1
<b>Manufacturing</b>	5.0%	1
<b>Professional, Scientific &amp; Technical</b>	5.2%	3
<b>Public Administration</b>	0.8%	1
<b>Retail and Wholesale Trade</b>	9.1%	3
<b>Transport &amp; Storage</b>	25.0%	1
<b>Not Known</b>	2.8%	4
<b>Total</b>		<b>31</b>

Table 29: Respondents who had been treated unfairly: the extent to which they felt they had received types of treatment

<b>Answer Options</b>	<b>strongly agree</b>	<b>agree</b>	<b>neither agree nor disagree</b>	<b>disagree</b>	<b>strongly disagree</b>	<b>Rating Avge</b>	<b>Tot</b>
<b>Received inappropriate or negative comments from manager/colleagues</b>	99	72	46	44	45	<b>2.56</b>	306
<b>Denied access to training that I would otherwise have received</b>	42	57	84	72	51	<b>3.11</b>	306
<b>Threatened with redundancy or dismissal</b>	39	33	68	62	104	<b>3.52</b>	306
<b>Treated so badly you felt you had to leave</b>	52	55	64	58	77	<b>3.17</b>	306
<b>Unfairly criticised/disciplined about your work performance</b>	51	52	54	71	78	<b>3.24</b>	306
<b>Failed to gain a promotion you felt you deserved or otherwise sidelined</b>	62	71	66	50	57	<b>2.90</b>	306
<b>Unable to take toilet breaks as required</b>	14	31	55	75	131	<b>3.91</b>	306
<b>A health and safety risk assessment was carried out but measures were not put in place to remove identified risks</b>	44	39	83	57	83	<b>3.31</b>	306
<b>Workload was not adequately adjusted to accommodate your pregnancy/new working pattern</b>	95	96	47	41	27	<b>2.38</b>	306
<b>Total Respondents</b>							<b>306</b>

Table 30: Respondents who received inappropriate or negative comments by Industry

<b>Industry</b>	<b>Percentage of Respondents</b>	<b>Number of Respondents</b>
<b>Accommodation &amp; Food</b>	25.0%	2
<b>Agriculture Forestry and Fishing</b>	25.0%	2
<b>Construction</b>	62.5%	5
<b>Education</b>	16.7%	47
<b>Finance &amp; Insurance</b>	31.3%	5
<b>Business Administration &amp; Support</b>	19.1%	9
<b>Health</b>	17.1%	17
<b>Information &amp; Communication</b>	33.3%	7
<b>Manufacturing</b>	25.0%	5
<b>Property</b>	75.0%	3
<b>Professional, Scientific &amp; Tech.</b>	22.4%	13
<b>Public Administration.</b>	15.1%	19
<b>Retail/Wholesale Trade</b>	42.4%	14
<b>Transport &amp; Storage</b>	25.0%	1
<b>Other</b>	10.0%	1
<b>Not Known</b>	11.0%	16
<b>Total</b>		<b>171</b>



Table 31: Respondents whose duties were not adequately adjusted

<b>Industry</b>	<b>Percentage of Respondents</b>	<b>Number of</b>
<b>Accommodation &amp; Food</b>	25.05	2
<b>Agriculture Forestry and Fishing</b>	50.0%	4
<b>Construction</b>	37.5%	3
<b>Education</b>	19.2%	54
<b>Finance &amp; Insurance</b>	25.0%	4
<b>Business Administration &amp; Support</b>	25.5%	12
<b>Health</b>	27.4%	32
<b>Information &amp; Communication</b>	33.3%	7
<b>Manufacturing</b>	25.0%	5
<b>Property</b>	75.0%	3
<b>Professional, Scientific &amp; Tech.</b>	25.9%	15
<b>Public Administration.</b>	12.7%	16
<b>Retail/Wholesale Trade</b>	42.4%	14
<b>Transport &amp; Storage</b>	25.0%	1
<b>Other</b>	10.0%	1
<b>Not known</b>	12.4%	18
<b>Total</b>		<b>191</b>

Table 32: Respondents who were denied promotion or otherwise sidelined by industry

<b>Industry</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>Accommodation &amp; Food Services</b>	25.0%	2
<b>Agriculture Forestry and Fishing</b>	25.0%	2
<b>Business Admin &amp; Support</b>	10.6%	5
<b>Construction</b>	50.0%	4
<b>Education</b>	14.9%	42
<b>Finance &amp; Insurance</b>	25.0%	4
<b>Health</b>	12.0%	14
<b>Information &amp; Comm.</b>	14.3%	3
<b>Manufacturing</b>	15.0%	3
<b>Professional, Scientific &amp; Tech.</b>	24.1%	14
<b>Public Administration</b>	13.5%	17
<b>Retail and Wholesale</b>	30.3%	10
<b>Transport &amp; Storage</b>	25.0%	1
<b>Not Known</b>	8.3%	12
<b>Total</b>		<b>133</b>

Table 33: Respondents who were unable to take a toilet break by industry

<b>Industry</b>	<b>Percentage of respondents</b>	<b>Number of women</b>
<b>Accommodation &amp; Food Services</b>	25.0%	2
<b>Education</b>	5.1%	16
<b>Business Administration &amp; Support</b>	2.1%	1
<b>Health</b>	2.6%	3
<b>Information &amp; Communication</b>	6.3%	1
<b>Manufacturing</b>	5.0%	1
<b>Property</b>	25.0%	1
<b>Professional, Scientific &amp; Technical</b>	1.7%	1
<b>Public Administration.</b>	3.2%	4
<b>Retail/Wholesale</b>	18.2%	6
<b>Transport &amp; Storage</b>	25.0%	1
<b>Not Known</b>	5.5%	8
<b>Total</b>		<b>45</b>

Table 34: Respondents who had been treated unfairly: Rating of the extent of the impact of unfair treatment or disadvantage

<b>Answer Options</b>	<b>strongly agree</b>	<b>agree</b>	<b>neither agree nor disagree</b>	<b>disagree</b>	<b>strongly disagree</b>	<b>Rating Average</b>
<b>Your physical health was affected</b>	89	99	37	46	22	<b>2.36</b>
<b>Your self esteem and confidence were affected</b>	146	113	16	8	10	<b>1.71</b>
<b>Your mental health was affected</b>	113	101	40	26	13	<b>2.06</b>
<b>It had negative impact on your family</b>	98	110	41	29	15	<b>2.16</b>
<b>It had a negative impact on you financially</b>	108	73	53	37	22	<b>2.29</b>
<b>It had a negative impact on your career</b>	117	109	38	16	13	<b>1.97</b>
<b>It had a negative impact on your capacity to look for other work</b>	71	69	82	43	28	<b>2.62</b>
<b>Total Respondents</b>						<b>293</b>

Table 35: Respondents who believed they were NOT treated unfairly: number who commented about various types of potentially unfair treatment

<b>Treatment experienced by respondents</b>	<b>Treated fairly Number of respondents</b>	<b>Not sure Number of respondents</b>	<b>Total</b>
<b>Made redundant</b>	4	4	<b>8</b>
<b>A health and safety risk assessment was not carried out</b>	4	3	<b>7</b>
<b>Work role or duties changed against wishes*</b>	2	2	<b>4</b>
<b>Denied leave to attend medical appointments</b>	0	2	<b>2</b>
<b>Received negative or inappropriate comments</b>	12	8	<b>20</b>
<b>Not promoted/sidelined</b>	8	11	<b>19</b>
<b>Contract not renewed</b>	1	2	<b>3</b>
<b>Workload not adequately adjusted</b>	11	20	<b>31</b>
<b>Threatened with redundancy/dismissal</b>	4	0	<b>4</b>
<b>Denied access to training</b>	1	0	<b>1</b>

Table 36: Respondents' assessment of the way in which pregnancy/taking maternity leave has affected/will affect their career opportunities

<b>My career opportunities are:</b>	<b>Percentage of respondents</b>	<b>Number of Respondents</b>
<b>a lot better than before</b>	1.0%	9
<b>a little better than before</b>	1.7%	15
<b>about the same</b>	43.4%	388
<b>a little worse than before</b>	27.7%	247
<b>a lot worse than before</b>	21.9%	196
<b>I don't know</b>	4.3%	38
<b>Total</b>		<b>893</b>

Table 37: Respondents who believe their career opportunities have been negatively affected and perception of treatment by employer

<b>Treatment</b>	<b>Career opportunities a little/lot worse</b>	
	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>Treated fairly</b>	21.7%	96
<b>Treated unfairly</b>	58.7%	260
<b>Not sure</b>	19.6%	87
<b>Total</b>		<b>443</b>

Table 38: Respondents who believe their career opportunities have not been affected or have improved and perception of treatment by employer

<b>Treatment</b>	<b>Career opportunities same or better</b>	
	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>Treated fairly</b>	76.9%	317
<b>Treated unfairly</b>	13.3%	55
<b>Not sure</b>	9.7%	40
<b>Total</b>		<b>412</b>

Table 39: Respondents who had lost their jobs – perception of effect of motherhood on career opportunities.

Perception of Career opportunities	Percentage of Respondents	Number of Respondents
Little/lot worse	87.0%	40
same	4.3%	2
Little Better	6.5%	3 [self-employed]
Don't know	2.2%	1
<b>Total</b>		<b>46</b>

Table 40: Respondents who had lost their job – current employment status

Employment status	Made Redundant		Dismissed		Contract not renewed		Total	
	%	No	%	No.	%	No.	%	No.
Employed	61.9%	13	33.3%	2	57.9%	11	56.5%	26
Not employed	23.8%	5	50.0%	3	31.6%	6	30.5%	14
Self employed	14.3%	3	16.7%	1	10.5%	2	13.0%	6
<b>Total</b>		21		6		19		46

Table 41: Respondents' rating of employer supportiveness during their pregnancy

Employer Supportiveness During Pregnancy	Percentage of respondents	Number of respondents
Very Supportive	23.7%	176
Supportive	30.9%	229
Neither Supportive nor Unsupportive	27.4%	203
Unsupportive	10.1	75
Very Unsupportive	7.9	59
<b>Total</b>		<b>742</b>

Table 42: Supportiveness during pregnancy and employment experience

Rating of employer support	Treated Unfairly /Disadvantaged		Not Treated Unfairly /Disadvantaged		Not sure		Total
	%	N	%	N	%	N	
<b>Very Supportive /Supportive</b>	23.8%	62	80.4%	296	41.2%	47	405
<b>Neither Supportive nor Unsupportive</b>	33.5%	87	17.7%	65	44.7%	51	133
<b>Very Unsupportive/ Unsupportive</b>	42.7%	111	1.9%	7	14.1%	16	134
<b>Total</b>		260		368		114	742

Table 43: Length of time taken or intend to take on maternity leave

Period of maternity leave: [intended/taken]	Percentage of respondents	Number of respondents
<b>Less than 6 months</b>	13.8%	95
<b>6 months to 1 year</b>	76.5%	528
<b>More than 1 year</b>	8.4%	58
<b>Not sure</b>	1.3%	9
<b>Total</b>		690

Table 44: All respondents: Length of maternity leave taken by Employment Sector [where known]

Period of maternity leave: [intended/taken]	Public sector		Private sector		Voluntary & Community Sector	
	%	No.	%	No.	%	No.
Less than 6 months	12.9%	69	7.9%	11	22.6%	14
More than 1 year	8.0%	43	7.2%	10	4.8%	3
Total [in each sector]		549		145		60

Table 45: All respondents: Length of maternity leave taken by size of organisation worked for [where known]

Period of maternity leave: [intended/taken]	1 to 4		5 to 10		11 to 49		50 or more	
	%	No.	%	No.	%	No.	%	No.
Less than 6 months	0.67%	1	9.3%	4	4.8%	5	11.8%	70
More than 1 year	0%	0	4.6%	2	2.8%	3	8.7%	52
Total [in each organisation size]		15		43		105		592

Table 46: Respondents' rating of employers' provision of information during maternity leave

Rating of provision of information	Percentage of respondents	Number of respondents
Kept well informed	21.2%	128
Kept somewhat informed	41.2 %	250
Not kept informed	37.6%	228
Total		606



Table 47: Respondents' rating of employer support during maternity leave

<b>Rating</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>Very Supportive</b>	15.9%	98
<b>Supportive</b>	25.9%	158
<b>Neither supportive nor Unsupportive</b>	38.2%	235
<b>Unsupportive</b>	12.1%	75
<b>Very Unsupportive</b>	7.9%	49
<b>Total</b>		<b>615</b>

Table 48: Respondents who change or intend to change work pattern on return to work

<b>Change or intend to change work pattern on return to work Response</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>No</b>	54.3%	370
<b>Yes to fewer hours</b>	35.5%	242
<b>Yes to more hours</b>	1.5%	10
<b>My request is being considered</b>	4.7%	33
<b>My request been refused</b>	4.0%	27
<b>Total</b>		<b>682</b>

Table 49: Respondents who have returned to work: Similarities in the job

<b>Type of job returned to following maternity leave</b>	<b>Percentage of Respondents</b>	<b>Number of respondents</b>
<b>Yes- same/similar job at same level</b>	82.4%	392
<b>No- a different type of job</b>	6.5%	31
<b>No- similar job at a higher level</b>	3.6%	17
<b>No- similar job at a lower level</b>	6.7%	32
<b>Not sure</b>	0.8%	4
<b>Total</b>		<b>476</b>

Table 50: Pregnant respondents: Similarities in job following maternity leave

Type of job returned to following maternity leave	Percentage of Respondents	Number of respondents
Yes- same/similar job at same level	78.1%	75
No- a different type of job	3.1%	3
No- similar job at a higher level	2.1%	2
No- similar job at a lower level	2.1%	2
Not sure	14.6%	14
<b>Total</b>		<b>96</b>

Table 51: Respondents on maternity leave: Similarities in job following maternity leave

Type of job returned to following maternity leave	Percentage of Respondents	Number of respondents
Yes- same/similar job at same level	79.0%	90
No- a different type of job	5.3%	6
No- similar job at a higher level	1.8%	2
No- similar job at a lower level	6.1%	7
Not sure	7.9%	9
<b>Total</b>		<b>114</b>

Table 52: Returned to work: Negative differences in job following maternity leave

Negative difference	Percentage of respondents	Number of respondents
None	58.8%	265
Status	10.7%	49
Levels of responsibility	18.9%	85
Complexity of work	12.2%	55
Promotion/career opportunities	21.3%	96
Opportunities for training	7.5%	34
Different flexible working arrangements	2.2%	10
<b>Total Respondents</b>		<b>451</b>

Table 53: Respondents returned to work: Employer support on return to work

<b>Rating</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>Very supportive</b>	22.1%	105
<b>Supportive</b>	29.7%	141
<b>Neither supportive nor unsupportive</b>	30.7%	146
<b>Unsupportive</b>	9.1%	43
<b>Very unsupportive</b>	8.4%	40
<b>Total</b>		<b>475</b>

Table 54: Respondents returned to work: Change of contract on return to work

<b>Contract change</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>None</b>	88.8%	421
<b>Changed to Permanent contract</b>	3.6%	17
<b>Changed to Temporary contract</b>	1.9%	9
<b>Changed to Fixed term contract</b>	2.7%	13
<b>Changed to Zero hours contract</b>	0.8%	4
<b>Changed to Casual other contract</b>	0.2%	1
<b>Don't know</b>	1.9%	9
<b>Total</b>		<b>474</b>

Table 55: Respondents' expectations of job they will return to compared to jobs which respondents had returned to

Type of job	Respondents who were Pregnant	Respondents on Maternity leave	Respondents who had Returned to work
Same /similar job at same level	78%	78.9%	82.3%
Different type of job	3.1%	5.3%	6.5%
Similar job at higher level	2.1%	1.8%	3.6%
Similar job at lower level	2.1%	6.1%	6.7%
Not sure	14.6%	7.9%	0.8%
<b>Total</b>	<b>96</b>	<b>114</b>	<b>475</b>

Table 56: All respondents: Self rating of knowledge of employment rights

Level of knowledge	Percentage of respondents	Number of respondents
Well informed	34.1%	275
Somewhat informed	45.0%	363
Not well informed	20.9%	169
<b>Total</b>		<b>807</b>

Table 57: Knowledge of employment rights: Respondents who were treated unfairly

Treated unfairly N=328		
Level of knowledge	Percentage of respondents	Number of respondents
Not well informed	25.3%	83
Somewhat informed	36.0%	118
Well informed	23.2%	76
Not known		51

Table 58: Knowledge of employment rights: respondents who were treated fairly

Level of knowledge	Treated fairly N=436	
	Percentage of respondents	Number of respondents
Not well informed	12.2%	53
Somewhat informed	40.8%	178
Well informed	40.4%	173
Not known		32

Table 59: Knowledge of employment rights: Respondents who were not sure

Level of knowledge	Unsure about treatment N=142	
	Percentage of respondents	Number of respondents
Not well informed	23.2%	33
Somewhat informed	47.2%	67
Well informed	18.3%	26
Not known		16

Table 60: All respondents: Source of information of employment rights

Source of information	Percentage of respondents	Number of respondents
Employer	48.6%	296
Colleagues/Family/Friends	47.0%	286
Trade Union	14.6%	89
Legal Services	3.6%	22
Advice Agency	4.9%	30
Own research	59.5%	362
<b>Total Respondents:</b>		<b>608</b>

Table 61: Respondents who believed they had been treated unfairly: Action taken

<b>Action Taken</b>	<b>Percentage of Respondents</b>	<b>Number of Respondents</b>
<b>Did not/will not do anything</b>	24.6%	72
<b>Discussed it with family/friends</b>	74.7%	219
<b>Discussed it with colleagues</b>	50.9%	149
<b>Discussed it with manager/supervisor</b>	38.6%	113
<b>Discussed it with Human Resources/Personnel Department</b>	25.9%	76
<b>Made a formal complaint within the organisation</b>	17.4%	51
<b>Contacted a Trade Union or Employee Advisory Service</b>	28.3%	83
<b>Contacted a solicitor or legal service</b>	15.7%	46
<b>Contacted the Equality Commission for Northern Ireland</b>	17.1%	50
<b>Made a complaint to the Equality Commission for Northern Ireland</b>	4.4%	13
<b>Looked for another job</b>	36.2%	106
<b>Total</b>		<b>293</b>

Table 62: Respondents who had been treated unfairly: Level of knowledge of employment rights and action taken

<b>Action</b>	<b>Formal Action Taken</b>		<b>No Action Taken</b>	
	<b>Percentage of respondents</b>	<b>Number of respondents</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>Not well informed</b>	15.1%	8	35.6%	26
<b>Somewhat informed</b>	32.1%	17	38.4%	28
<b>Well informed</b>	41.5%	22	17.8%	13
<b>Not known</b>	11.8%	6	8.2%	6
<b>Total</b>		<b>53</b>		<b>73</b>

Table 63: Respondents who had been treated unfairly: Reason for not taking action

<b>Reason for not taking action</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>Not aware of how to take action or who to report it to</b>	21.2%	14
<b>Did not know I could do anything</b>	19.7%	13
<b>Felt it was easier to keep quiet</b>	68.2%	45
<b>Too stressful to take action while pregnant</b>	42.4%	28
<b>Advised to not do anything by colleagues/family/friends</b>	16.7%	11
<b>Complaint process would be too difficult</b>	22.7%	15
<b>It would not change anything/nothing could be done</b>	54.6%	36
<b>Thought it would have a negative effect on my career</b>	53.0%	35
<b>Thought it would have negative effect on my return to work</b>	30.3%	20
<b>Thought I might get fired</b>	4.6%	3
<b>Did not want to be seen as a troublemaker</b>	54.6%	36
<b>Total Respondents</b>		<b>66</b>

Table 64: Respondents who have been treated unfairly: Resolution of employment issues.

<b>Outcome</b>	<b>Percentage of Respondents</b>	<b>Number of Respondents</b>
<b>Fully resolved to my satisfaction</b>	5.3%	14
<b>Somewhat resolved</b>	24.2%	64
<b>There has been no resolution</b>	60.8%	161
<b>Don't know</b>	9.8%	26
<b>Total</b>		<b>265</b>

Table 65: Respondents who made a formal complaint: Resolution of employment issues [N=51]

<b>Outcome</b>	<b>Percentage of Respondents</b>	<b>Number of Respondents</b>
<b>Fully resolved to my satisfaction</b>	5.9%	3
<b>Somewhat resolved</b>	17.6%	9
<b>There has been no resolution</b>	58.8%	30
<b>Don't Know</b>	9.8%	5
<b>Not answered</b>	7.8%	4
<b>Total</b>		<b>51</b>



Table 66: Comparison of most popular industries worked in by respondents to the online survey and those identified in the 2011 Census for Northern Ireland

<b>Most popular Industries Online Survey</b>	<b>Percentage of Respondents</b>		<b>Most popular Industries NI Census 2011</b>	<b>Percentage of females</b>	
	<b>%</b>	<b>No.</b>			
<b>Education</b>	38.5%	281	Human health and social work activities	23.94%	91730
<b>Public administration and defence; compulsory social security</b>	15.6%	114	Wholesale and retail trade; repair of motor vehicles and motor cycles	17.14%	69493
<b>Human health and social work activities</b>	15.2%	111	Education	14.13%	54135
<b>Professional, scientific and technical activities</b>	8.7%	64	Public administration and defence; compulsory social security	8.04%	30809
<b>Wholesale and retail trade; repair of motor vehicles and motor cycles</b>	4.5%	33	Accommodation and food service activities	6.36%	24361
<b>Accommodation and food service activities</b>	1.1%	8	Professional, scientific and technical activities	4.63%	17742

## APPENDIX 2 FOCUS GROUP PARTICIPANTS

Table 1: Age group of focus group participants

Age Group	Percentage of participants	Number of participants
24 or under	7.0%	4
25-29	15.8%	9
30-34	36.8%	21
35 and over	40.4%	23
<b>Total</b>		<b>57</b>

Table 2: Number of children

Number of children	Percentage of participants	Number of participants
0	3.5%	2
1	38.6%	22
2	36.8%	21
3	19.3%	11
4	1.8%	1
<b>Total</b>		<b>57</b>

Table 3: Age of youngest child

Age of youngest child	Percentage of participants	No. of participants
Not yet born	0%	0
1 or under	35.1%	20
1-2	19.3%	11
2	21.1%	12
3	10.5%	6
4	7.0%	4
5	7.0%	4
<b>Total</b>		<b>57</b>

Table 4: Employment status of focus group participants

<b>Current Employment Status</b>	<b>Percentage of participants</b>	<b>Number of participants</b>
<b>Employed</b>	61.4%	35
<b>Not in paid employment [incl. career break]</b>	29.8%	17
<b>Self employed</b>	8.8%	5
<b>Total</b>		<b>57</b>

Table 5: Current situation of focus group participants

<b>Current Situation</b>	<b>Percentage of participants</b>	<b>Number of participants</b>
<b>Career break</b>	1.8%	1
<b>Not in paid employment</b>	19.3%	11
<b>On maternity leave</b>	28.1%	16
<b>Pregnant</b>	10.5%	6
<b>Returned to work</b>	40.4%	23
<b>Total</b>		<b>57</b>

Table 6: Salary earned during pregnancy

<b>Salary</b>	<b>Percentage of participants</b>	<b>Number of participants</b>
<b>£9,999k or under</b>	22.8%	13
<b>£10k- £19,999k</b>	35.1%	20
<b>£20k- £29,999k</b>	22.8%	13
<b>£30k-£39,999k</b>	15.8%	9
<b>£40k-£49,999k</b>	1.8%	1
<b>£50k+</b>	1.8%	1
<b>Total</b>		<b>57</b>

Table 7: Employment on return to work

<b>Changed jobs on/soon after return to work?</b>	<b>Percentage of participants</b>	<b>Number of participants</b>
<b>I returned to a different employer</b>	22.8%	13
<b>I returned to the same employer</b>	50.9%	29
<b>I became unemployed</b>	26.3%	15
<b>Total</b>		<b>57</b>

Table 8: Employment sector worked in during pregnancy

<b>Sector</b>	<b>Percentage of participants</b>	<b>Number of participants</b>
<b>Private</b>	68.4%	39
<b>Public</b>	26.3%	15
<b>Voluntary &amp; Community</b>	5.3%	3
<b>Total</b>		<b>57</b>

Table 9: Participants' assessment of employer support shown during pregnancy

<b>Rating of Employer Support</b>	<b>Percentage of Participants</b>	<b>Number of Participants</b>
<b>Very Supportive</b>	33.9%	19
<b>Supportive</b>	21.4%	12
<b>Neither Supportive nor Unsupportive</b>	17.9%	10
<b>Unsupportive</b>	8.9%	5
<b>Very Unsupportive</b>	17.9%	10
<b>Total</b>		<b>56</b>

Table 10: Participants' assessment of employer support shown during maternity leave

<b>Rating of Employer Support</b>	<b>Percentage of Participants</b>	<b>Number of Participants</b>
<b>Very Supportive</b>	27.8%	15
<b>Supportive</b>	22.2%	12
<b>Neither Supportive nor Unsupportive</b>	20.4%	11
<b>Unsupportive</b>	18.5%	10
<b>Very Unsupportive</b>	11.1%	6
<b>Total</b>		<b>54</b>

Table 11: Participants' assessment of employer support shown on return to work

<b>Rating of Employer Support</b>	<b>Percentage of Participants</b>	<b>Number of Participants</b>
<b>Very Supportive</b>	21.2%	7
<b>Supportive</b>	24.2%	8
<b>Neither Supportive nor Unsupportive</b>	18.2%	6
<b>Unsupportive</b>	21.2%	7
<b>Very Unsupportive</b>	15.2%	5
<b>Total</b>		<b>33</b>

Table 12: Change of working pattern on return to work

<b>Change on return to work</b>	<b>Percentage of participants</b>	<b>Number of participants</b>
<b>Increased hours</b>	2.4%	1
<b>Decreased hours</b>	54.8%	23
<b>Same hours</b>	42.9%	18
<b>Total</b>		<b>42</b>

Table 13: Salary on return to work

<b>Salary on return to work</b>	<b>Percentage of participants</b>	<b>Number of participants</b>
<b>Earned the Same</b>	2.4%	21
<b>Earned Less</b>	47.6%	20
<b>Earned More</b>	2.4%	1
<b>Total</b>		<b>42</b>

Table 14: Focus Group Participants Supportive Employers –Themes

<b>Theme</b>	<b>Percentage of Participants</b>	<b>Number of participants</b>
<b>Willing to be flexible</b>	42.1%	24
<b>Good communication</b>	28.1%	16
<b>Good policies and procedures</b>	17.5%	10
<b>Supportive management</b>	10.5%	6
<b>Positive attitude</b>	8.8%	5

Table 15: Focus Group Participants Unsupportive Employers- Themes

<b>Theme</b>	<b>Percentage of Participants</b>	<b>Number of participants</b>
<b>Lack of flexibility/adjustments made</b>	42.1%	24
<b>Negative attitude/comments</b>	40.4%	23
<b>Poor communication/information provision</b>	38.6%	22
<b>No Health &amp; Safety risk assessment</b>	21.1%	12
<b>Lost job [redundant/dismissed]</b>	17.5%	10

## APPENDIX 3 EMPLOYERS

Table 1: Numbers of employees within respondents' organisations

<b>Number of employees in organisation</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
Less than 5	1.7%	1
5-19	13.8%	8
20-99	37.9%	22
100-499	25.9%	15
500 or more	20.7%	12
<b>Total</b>		<b>58</b>

Table 2: Main Industries of the respondents' organisations

<b>Main industry of the organisation</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
Agriculture, Forestry and Fishing	1.7%	1
Utilities, Sewerage and Waste Management	1.7%	1
Manufacturing	19.0%	11
Construction	5.2%	3
Retail and Wholesale Trade	6.8%	4
Transportation and Storage	5.2%	3
Accommodation and Food Services	6.9%	4
Information and Communication	5.2%	3
Finance and Insurance	5.2%	3
Professional, Scientific and Technical	6.9%	4
Public Administration	12.1%	7
Education	3.4%	2
Health	12.1%	7
Other	5.2%	3
<b>Total</b>		<b>58</b>

Table 3: The employment sector of the respondents' organisations

<b>Employment Sector</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>Public Sector</b>	20.6%	12
<b>Private sector</b>	72.4%	42
<b>Voluntary and Community Sector</b>	6.9%	4
<b>Total</b>		<b>58</b>

Table 4: Gender make-up of the respondent organisations' workforce

<b>Ratio of male: female employees</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>Majority male</b>	37.9%	22
<b>Majority female</b>	50.0%	29
<b>About equal</b>	10.3%	6
<b>Total</b>		<b>58</b>

Table 5: The number of pregnancies managed within the past 5 years by employers who responded to the survey

<b>Number of pregnancies managed</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>More than 100</b>	6.9%	4
<b>Between 50 and 99</b>	5.2%	3
<b>Between 20 and 49</b>	6.9%	4
<b>Between 5 and 19</b>	25.9%	15
<b>Less than 5</b>	39.7%	23
<b>None</b>	1.7%	1
<b>Unknown</b>	13.8%	8
<b>Total</b>		<b>58</b>



Table 6: Policies/practices employed by respondent organisations to manage pregnancy, maternity leave and return to work.

<b>Policy/Practice</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>Flexible Working Policy</b>	78.6%	44
<b>Equal Opportunities Policy</b>	82.1%	46
<b>Dignity At Work/Harassment Policy</b>	57.1%	32
<b>Recruitment and Selection Policy</b>	57.1%	32
<b>Health and Safety Policy</b>	80.4%	45
<b>Maternity Leave Policy</b>	76.8%	43
<b>Managing Attendance Policy</b>	57.1%	32
<b>Career Break Policy</b>	17.9%	10
<b>Shared Parental Leave Policy</b>	44.6%	25
<b>Employee Childcare Vouchers</b>	55.4%	31
<b>Other*</b>		1
<b>Total respondents</b>		<b>56</b>

**\*Women in Leadership**

Table 7: Maternity entitlements offered by respondents' organisations

<b>Entitlement offered</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>We offer more than Statutory Entitlements</b>	33.9%	19
<b>We offer Statutory Entitlements only</b>	66.1%	37
<b>Total</b>		<b>56</b>

Table 8: Access to information regarding legal responsibilities towards pregnant employees and mothers on maternity leave or who have returned to work.

<b>Answer options</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>Yes we have sufficient access to information</b>	73.2%	41
<b>No we do not have sufficient access to information</b>	26.8%	15
<b>Total</b>		<b>56</b>

Table 9: Employers who have dealt with complaints from employees during pregnancy, maternity leave or on return to work

<b>Answer options</b>	<b>Percentage of respondents</b>	<b>Number of respondents</b>
<b>Yes we have dealt with complaints</b>	10.9%	6
<b>No we have not dealt with complaints</b>	89.1%	49
<b>Total</b>		<b>56</b>

Table 10: Rating of how often respondents' organisations face the given challenges/issues associated with managing pregnancy N=58

<b>Issue/Challenge</b>	<b>Always</b>	<b>Often</b>	<b>Seldom</b>	<b>Never</b>	<b>Rating Average</b>
<b>Ensuring a safe workplace for pregnant women</b>	14	5	23	16	2.71
<b>Sickness absences during pregnancy</b>	10	10	33	5	2.57
<b>Managing the impact of employee absence</b>	16	16	25	1	2.19
<b>Retaining pregnant employees</b>	9	4	25	20	2.97

Table 11: Most challenging issues associated with managing pregnancy

<b>Most challenging issue</b>	<b>Percentage of employers</b>	<b>Number of employers</b>
<b>Managing Impact of employee absence</b>	45%	26
<b>Retaining pregnant employees</b>	10%	6
<b>Sick absences during pregnancy</b>	10%	6
<b>Ensuring safe environment</b>	9%	5
<b>None of the above</b>	28%	16
<b>Total</b>		<b>58</b>

Table 12: Rating of how often respondents' organisations face the given challenges/issues associated with managing maternity leave N=58

<b>Issue/Challenge</b>	<b>Always</b>	<b>Often</b>	<b>Seldom</b>	<b>Never</b>	<b>Rating Age</b>
<b>Cost involved in arranging and training staff to cover maternity leave</b>	15	13	25	5	2.34
<b>Time involved in arranging and training staff to cover maternity leave</b>	13	22	20	3	2.22
<b>Cost of administering maternity leave schemes</b>	6	9	31	12	2.84
<b>Communicating with an employee on maternity leave</b>	3	11	35	9	2.86
<b>Uncertainty of duration of maternity leave</b>	7	17	23	11	2.66
<b>Receiving sufficient notice of return to work date</b>	5	6	36	11	2.91

Table 13: Most challenging issues associated with managing maternity leave

<b>Most challenging issue</b>	<b>Percentage of employers</b>	<b>Number of employers</b>
<b>Cost involved in arranging and training staff to cover maternity leave</b>	33%	19
<b>Time involved in arranging and training staff to cover maternity leave</b>	28%	16
<b>Uncertainty of duration of maternity leave</b>	12%	7
<b>Communicating with an employee on maternity leave</b>	5%	3
<b>Receiving sufficient notice of return to work date</b>	3%	2
<b>None of the above</b>	19%	11
<b>Total</b>		<b>58</b>

Table 14: Rating of how often respondents' organisations face the given challenges/issues associated with managing return to work N=58

<b>Issue/Challenge</b>	<b>Always</b>	<b>Often</b>	<b>Seldom</b>	<b>Never</b>	<b>Rating Average</b>
<b>Managing return to work</b>	3	12	32	11	2.88
<b>Accommodating flexible working requests</b>	7	24	26	1	2.36
<b>Increased absences on return to work due to child caring responsibilities</b>	7	16	30	5	2.57
<b>Retaining new mothers after return to work</b>	3	11	28	16	2.98
<b>Periods of sickness absence following maternity leave</b>	6	5	35	12	2.91

Table 15: Most challenging issue in managing return to work

<b>Most challenging issue</b>	<b>Percentage of employers</b>	<b>Number of employers</b>
<b>Managing return to work</b>	9%	5
<b>Accommodating flexible working requests</b>	52%	30
<b>Increased absences on return to work due to child caring responsibilities</b>	17%	10
<b>Periods of sickness absence following maternity leave</b>	7%	4
<b>None of the above</b>	16%	9
<b>Total</b>		<b>58</b>

Table 16: Rating of how often respondents' organisations face the general challenges/issues associated with managing pregnancy, maternity leave and return to work N=58

<b>Issue/Challenge</b>	<b>Always</b>	<b>Often</b>	<b>Seldom</b>	<b>Never</b>	<b>Rating Average</b>
<b>Keeping up to date with legislative changes</b>	9	13	24	12	<b>2.67</b>
<b>Raising awareness of equality legislation amongst employees</b>	5	14	25	14	<b>2.83</b>
<b>Creating a positive culture regarding working mothers</b>	4	11	25	18	<b>2.98</b>
<b>Creating a positive culture regarding flexible working arrangements</b>	5	15	30	8	<b>2.71</b>

Table 17: The issue associated generally with managing pregnancy, maternity leave and return to work which employers find most challenging

<b>Most Challenging Issue</b>	<b>Percentage of employers</b>	<b>Number of employers</b>
<b>Creating a positive culture regarding flexible working arrangements</b>	33%	19
<b>Keeping up to date with legislative changes</b>	29%	17
<b>Raising awareness of equality legislation amongst employees</b>	12%	7
<b>Creating a positive atmosphere regarding working mothers</b>	2%	1
<b>None of the above</b>	24%	14
<b>Total</b>		<b>58</b>

Table 18: Employers' rating of attitude statements N=57

<b>Answer option</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither agree nor disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>Rating Average</b>
<b>Women working for this organisation are/would be supported during pregnancy, maternity leave and on their return to work.</b>	28	24	4	0	1	1.63
<b>In general, pregnant employees tend to be less committed to their work than other members of the team.</b>	3	4	13	21	16	3.75
<b>We believe it is important to maintain reasonable contact with an employee on maternity leave.</b>	15	28	13	1	0	2.00
<b>Within this organisation, having a child has no impact on decisions regarding a woman's career progression or promotion.</b>	26	15	9	6	1	1.96
<b>It is worth training a pregnant employee even though she may not return to work.</b>	14	25	12	3	3	2.23
<b>It is reasonable for an employer to be wary of hiring younger women.</b>	2	7	11	12	25	3.89
<b>Some women abuse their rights during pregnancy, maternity leave and on return</b>	4	13	20	13	7	3.11

<b>to work.</b>						
<b>Answer option</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither agree nor disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>Rating Average</b>
<b>Flexible working arrangements are of benefit to this organisation.</b>	11	19	14	8	5	2.60
<b>Our employees are encouraged to return to work following maternity leave.</b>	19	30	6	1	1	1.86
<b>We find/would find the costs associated with pregnancy unduly burdensome.</b>	3	7	18	21	8	3.42
<b>Women returning to work following maternity leave tend to show less commitment to their work than other members of the team.</b>	4	6	14	21	12	3.54
<b>Male employees in this organisation feel/would feel confident to ask for flexible working arrangements for childcare purposes.</b>	9	23	16	7	2	2.47
<b>Colleagues can often show resentment towards team members who are pregnant or on maternity leave.</b>	0	7	13	20	17	3.82
<b>We take a dim view of employees who become pregnant within the first year of employment with us.</b>	3	1	11	20	22	4.00



## APPENDIX 4 STATUTORY RIGHTS

The Employment Rights (NI) Order 1996 is supplemented by a series of associated statutory regulations which set out the minimum levels of protection that employees are entitled to receive. Statutory employment rights relate broadly to rights to pregnancy and maternity leave, and to rights to time off to look after children. The legislation sets out qualifying criteria and exceptions to additional rights.

There are a number of basic rights to which all pregnant employees are entitled.

### During pregnancy

- Employers have certain obligations to ensure the health and safety of pregnant employees; risk assessments, rest facilities etc. Employers are legally required to conduct Health and Safety risk assessments for all employees and to remove identified risks. Such risks assessments should, as a matter of course, identify any risks to new and expectant mothers.<sup>52</sup>

When an employer is notified of an employee's pregnancy the employer should review the risk assessment for the employee's specific work and identify any changes that are necessary to protect her and the unborn baby's health. The employee should be involved in the process and there should be continuous review the assessment as the pregnancy progresses to see if any adjustments are necessary.

Any risks identified must then either be removed or the employee offered suitable alternative duties or if neither option is possible the employee should be suspended on full pay.

- Pregnant employees and employees on maternity leave are entitled to reasonable and timely communication.
- Having been notified of the expected start date of maternity leave an employer must, within 28 days, notify an employee of the end date of her maternity leave.

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<sup>52</sup> *Management of Health and Safety at Work Regulations (NI) 2000.*

## During Maternity Leave

### Maternity Leave and Pay

- All pregnant employees are entitled to take up to 52 weeks' maternity leave regardless of length of service: 26 weeks of Ordinary Maternity Leave and 26 weeks of Additional Maternity Leave. During Maternity Leave employees are entitled to continue to benefit from all the terms and conditions of employment which would have applied had they been at work; the exception being wages or salary.
- It is compulsory for an employee to take a minimum of two week's leave after the birth of her child or four weeks if she works in a factory.
- Since 5 April 2015 when shared parental leave and pay was introduced, an eligible mother can end her maternity leave early, and with her partner or the child's father, opt for shared parental leave.
- Statutory Maternity Pay (SMP) must be paid if the employee is eligible: eligibility is based on length and continuity of service, average weekly earnings and compliance with notification requirements of pregnancy to the employer.

All employees are eligible for Statutory Maternity Pay if they:

- earn on average at least £111 a week.
- give the correct notice.
- are able to prove they are pregnant.
- have worked for their employer continuously for at least 26 weeks up to the 'qualifying week' – the 15th week before the expected week of childbirth.

SMP is paid for up to 39 weeks. Employees are entitled to:

- 90% of average weekly earnings (before tax) for the first six weeks;
  - £139.58 (2015/16 rate) or 90% of their average weekly earnings (whichever is lower) for the next 33 weeks.
- SMP usually begins when an employee starts their maternity leave. It starts automatically if an employee is off work for a pregnancy-related illness in the four weeks before the week her baby is due, unless her employer agrees that she can carry on working.
  - During the maternity leave period an employer can make reasonable contact with an employee and must keep an employee informed of promotion opportunities and of other information relating to her job.

In addition, apart from during the first two weeks after giving birth, an employee can choose to work up to 10 Keeping in Touch Days without ending their leave and is entitled to be paid for those KIT days. An employee cannot be required to

take KIT days nor is an employer obliged to offer them. Essentially they can only be worked if both the employer and employee agree.

- A female employee can be made redundant while on maternity leave if her position is genuinely redundant, but cannot be selected for automatic redundancy just because she is pregnant or on maternity leave. If a redundancy situation arises, an employee on maternity leave must be offered a suitable vacancy if one is available, in preference to any affected employee who is not on maternity leave. She must not be made to apply for any such vacancy or be interviewed for it – it should simply be offered to her. If an employee is made redundant, and qualifies for SMP, she must continue to receive it.

#### Accrual of Annual Leave during Maternity Leave

- While on maternity leave the employee continues to accrue both full statutory annual leave and any additional contractual leave throughout the 52 weeks. If they cannot take all the leave they are entitled to during a particular year, they can carry it over to the following year.

#### Return to Work

- Employees have a right to return to the same job after Ordinary Maternity Leave. If the employee takes Additional Maternity Leave she is still entitled to return to her old job unless this is not reasonably practicable; but she must still be offered a job that is suitable for her and the terms and conditions must be no less favourable.
- Working parents have the right to request parental leave, time off for dependents and flexible working. An employee must make an application in writing, setting out their proposal. Employers must consider the request and notify the employee of their decisions within 14 days of the date of a meeting to discuss the request. The notification must set out clear business reasons for any decision taken.

#### Protection from unfair treatment or discrimination

- Pregnant employees and those on maternity leave are protected under sex discrimination legislation which outlaws unfair treatment, including dismissal, on grounds of their sex, pregnancy or maternity leave. Examples of detrimental treatment include denial of promotion or selection for redundancy based on reasons solely related to the employee's pregnancy or subsequent maternity leave. A woman dismissed for a reason related to pregnancy or childbirth may make a claim of automatically unfair dismissal regardless of length of service.
- It could also be sex discrimination to harass a woman, for example by making unwanted comments about pregnancy which create a hostile, degrading, humiliating or offensive environment for a pregnant employee.



Equality Commission

FOR NORTHERN IRELAND

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