

Listening to Mothers: The Experiences of Expecting and New Mothers in the Workplace

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INTRODUCTION

Today, holding a paying job during and after a pregnancy is not only common, it is a financial necessity for many women and their families. Many pregnant women and new mothers can and do perform their jobs without difficulty. For others, the road to motherhood is more challenging.

A recent Childbirth Connection survey, *Listening to Mothers III: New Mothers Speak Out*, explored the experiences of pregnant women and new mothers in the workplace. The results reveal that too many face significant barriers to success. For example, some pregnant women need to make minor adjustments at work to protect their health, yet many say they **face issues with requesting and obtaining reasonable accommodations**. Many new mothers also say that when they return to their workplace days, weeks or months after giving birth, they **face questions about their commitment to their jobs**. And many report **challenges when they want to continue breastfeeding or need to express breast milk** at work.

METHODOLOGICAL SUMMARY

In 2013, Childbirth Connection released the results of its third national *Listening to Mothers* survey and of a follow-up survey directed to the same women. Harris Interactive conducted online surveys using validated methods to describe the experiences and views of women ages 18 to 45 who gave birth to single babies in U.S. hospitals from July 2011 through June 2012, and who could participate in the survey in English. Except where indicated, all data points reported here are derived from the *Listening to Mothers III* follow-up survey of 1,072 women. The W.K. Kellogg Foundation funded the surveys. The full reports with detailed methodology and related documents can be found at transform.childbirthconnection.org/reports/listeningtomothers.

In 2014, the National Partnership for Women & Families and Childbirth Connection joined forces, and Childbirth Connection became a core program of the National Partnership. Expert staff members conducted the following analysis, which is presented here along with discussion of the survey's findings pertaining to women who were employed outside their homes during pregnancy and after birth.

Key Findings About Pregnant Women and New Mothers

HOLDING A JOB DURING PREGNANCY IS THE NEW NORMAL

- ▶ **Most women today hold a job prior to giving birth.** Sixty-one percent of survey respondents reported working for someone else or being self-employed during pregnancy. More than half said they were employed full time.
- ▶ **Women bring home a significant share of their families' income.** Women are the primary or sole breadwinners in nearly 40 percent of families with children, according to data from the Pew Research Center.¹

WOMEN OFTEN NEED MINOR ADJUSTMENTS ON THE JOB TO PROTECT THEIR HEALTH DURING PREGNANCY

- ▶ **Breaks** were the most common accommodation needed by survey participants who held jobs during pregnancy. Seventy-one percent said they needed more frequent breaks (e.g., bathroom breaks) at work when they became pregnant.
- ▶ **A change in schedule or time off for prenatal visits** was the second most needed accommodation. Sixty-one percent of the pregnant employees surveyed reported needing a schedule modification or leave time to obtain critical health care.
- ▶ A majority of women surveyed (53 percent) reported needing some kind of change in their job duties, such as **less lifting or more sitting**.
- ▶ Forty percent of surveyed employees reported needing **some other type of workplace adjustment** due to a pregnancy-related condition.

TOO OFTEN PREGNANT WORKERS' NEED FOR ACCOMMODATION GOES UNSPOKEN AND MAY BE UNMET

Despite the common need that pregnant women have for minor adjustments on the job, many never asked their employers for such a change – possibly out of **fear of repercussions, refusal or uncertainty** about how their request would be received.

- ▶ Seventy-one percent of women surveyed reported needing more frequent breaks at work when they became pregnant, but more than four in 10 of these women (42 percent) never asked their employers to accommodate them.
- ▶ More than 50 percent of women surveyed needed a change in duties such as less lifting or more sitting due to their pregnancies, and more than one-third of these women (37 percent) never asked their employers to accommodate them.
- ▶ A majority of women surveyed reported needing a change in schedule or time off, e.g., for prenatal visits, but, among these women, more than one in four (26 percent) did not ask their employers about it.
- ▶ Forty percent of women surveyed said they needed some other pregnancy-related accommodation, but more than one-third of these women (38 percent) did not voice their needs to employers.

WOMEN WHO ASK FOR ACCOMMODATIONS MAY HAVE THEIR REQUESTS DENIED, EVEN WHEN EMPLOYERS GRANT SIMILAR REQUESTS TO OTHER EMPLOYEES

- ▶ Most employers of employees who made requests for reasonable accommodations honored those requests. However, some women reported asking for accommodations that their employers denied. For example:
 - ▶ Nine percent of women who requested a change in duties, such as less lifting or the ability to sit rather than stand, said they were denied their request.
 - ▶ Similarly, nine percent who requested schedule changes or time off that would, for example, allow them to attend prenatal care appointments said they were denied such changes.
 - ▶ Five percent of women said they were denied their request for more frequent breaks, including breaks to use the restroom more frequently.
 - ▶ Thirteen percent of women who reported requesting some other type of needed pregnancy-related workplace accommodation were denied the request.
 - ▶ Based on estimates of the number of employed women who give birth annually, this means that more than one-quarter million women are denied their requests each year, threatening the health of women and their children.² (This is likely a very conservative estimate of unmet need for reasonable accommodations, given that many surveyed women who needed them did not ask for them.)
- ▶ Of pregnant employees surveyed who reported being denied an accommodation, 69 percent thought their employer had honored similar requests from other workers with physical limitations or disabilities.
- ▶ A significant number of women whose requests for reasonable accommodations were denied reported that their employer claimed that it was not obligated to honor a pregnancy-related request

LESS ECONOMICALLY ADVANTAGED WOMEN APPEAR TO BE IN GREATER NEED OF ACCOMMODATIONS THAN MORE ADVANTAGED WOMEN

- ▶ The data suggest that greater proportions of pregnant women who held part-time or lower-wage jobs and women of color needed some kind of minor accommodation at work when compared to their counterparts.
- ▶ The data suggest that greater proportions of women with a high school degree or less education needed some kind of job accommodation due to pregnancy, compared to those who had some college or who had graduated from college.

NEW MOMS REPORT BIAS AND LOST PAY, HOURS, PROMOTIONS AND RESPONSIBILITIES UPON RETURNING TO WORK

- ▶ More than one in four of the women who had resumed work with the same pre-birth employer reported experiencing **bias from their employers due to perceptions of their “desire, ability, or commitment” to doing their jobs.** Twenty-seven percent of those respondents reported that they were confronted with such inaccurate assumptions, with significant repercussions:

- ▶ Nineteen percent reported that they lost opportunities for pay increases or promotions;
 - ▶ Seventeen percent reported an unwanted reduction in work hours; and
 - ▶ Sixteen percent reported an unwanted reduction in responsibilities.
- ▶ And the majority of women surveyed reported feeling like such discrimination and differential treatment stemmed from their pregnancy, leave or status as a new mother.
 - ▶ Among all women who were employed at the time of the follow-up survey, 15 percent cited lack of support in the workplace for them as new mothers as a major challenge and 23 percent cited lack of support in the workplace as a minor challenge.

AFTER PREGNANCY, SOME WOMEN REPORT LOSING THEIR JOBS ALTOGETHER OR BEING UNABLE TO FIND WORK

- ▶ Of the women surveyed who were not employed at the time of the follow-up survey, 10 percent reported that they could not find work or were seeking work. One percent reported that they were fired for a reason related to pregnancy or childbirth, or for taking maternity leave.

BREASTFEEDING REMAINS A CHALLENGE FOR NEW MOMS WITH JOBS

- ▶ A majority of women (58 percent) who were employed at the time of the follow-up survey reported that breastfeeding while working at their paid job had been a challenge, with 66 percent of those who were exclusively breastfeeding at one week citing breastfeeding challenges. Breastfeeding presents particular challenges for part-time and lower-wage workers.
- ▶ Thirty-eight percent of those who were employed at the time of the survey reported that their **employers failed to provide a private place** other than a bathroom for them to express milk, and 39 percent reported that their **employers failed to offer reasonable breaks** for expressing milk, suggesting that some employers are failing to comply with existing legal obligations established by the Affordable Care Act (ACA) regarding employees' rights to a time and place for nursing or expressing breast milk.
 - ▶ As a result of the ACA, all employers are required to provide their hourly, non-exempt workers with a reasonable time and place to express milk, although employers with less than 50 employees may seek to avoid the law by showing that it imposes an undue hardship.
- ▶ Just about half of respondents who were employed at the time of the follow-up survey (49 percent) reported that their plans for employment had impacted their breastfeeding decisions, including whether or when to breastfeed, to use formula, or to use a breast pump.

Policies That Better Meet the Needs of Pregnant Women and New Mothers in the Workplace are Essential

Laws like the Pregnancy Discrimination Act and the Americans with Disabilities Act do offer some workers protection from discrimination and establish rights to reasonable accommodations, but the results of this survey and the experiences of pregnant women and new moms across the country demonstrate that they are not enough.

Reasonable accommodations enable many pregnant workers to keep their jobs and their homes, to maintain their health and their health insurance, to provide much-needed stability, and to support themselves and their loved ones at a critical time for their growing families. Reasonable accommodations are often offered to other workers, as required by laws like the Americans with Disabilities Act. But without an express legal mandate to offer reasonable accommodations to pregnant workers, too often their critical needs go unmet. **The Pregnant Workers Fairness Act** would create a clear standard for employers to help ensure that pregnant workers' need for minor, temporary workplace accommodations such as the changes in duties, scheduling and breaks discussed here will be met. This proposal has been introduced in Congress. Its passage should be a top priority.

For breastfeeding moms, the Affordable Care Act amended the Fair Labor Standards Act to establish a right for eligible hourly workers to have a time and place for breaks to express breast milk. **The Supporting Working Moms Act** has been introduced in Congress to expand this right to better meet the needs of nursing moms in salaried jobs. It, too, is a critical measure that should be passed right away.

In addition, agencies such as the United States Department of Labor and the Equal Opportunity Employment Commission must ensure that new mothers and other working people with caregiving responsibilities do not face explicit discrimination or implicit bias at work. Education and outreach materials for employers and employees and aggressive enforcement of existing workplace and civil rights laws are critically important.

1 Pew Research Center. (2013, May 29). *Breadwinner Moms*. Available at http://www.pewsocialtrends.org/files/2013/05/Breadwinner_moms_final.pdf

2 Calculation based on the proportion of survey respondents who worked for an employer during pregnancy (55.8 percent) and their response to survey items and the total number of registered births in the United States in 2011, 3,953,590. Martin J.A., Hamilton B.E., Ventura S.J., et al. (2013, June 28). Births: Final Data for 2011. *National Vital Statistics Reports*, 62(1). U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Health Statistics Publication.

The National Partnership for Women & Families is a nonprofit, nonpartisan advocacy group dedicated to promoting fairness in the workplace, access to quality health care and policies that help women and men meet the dual demands of work and family. More information is available at www.NationalPartnership.org.

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