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# Managing Maternity Leave: Do Employers Discriminate?

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# The “paradoxical” effects of leave?

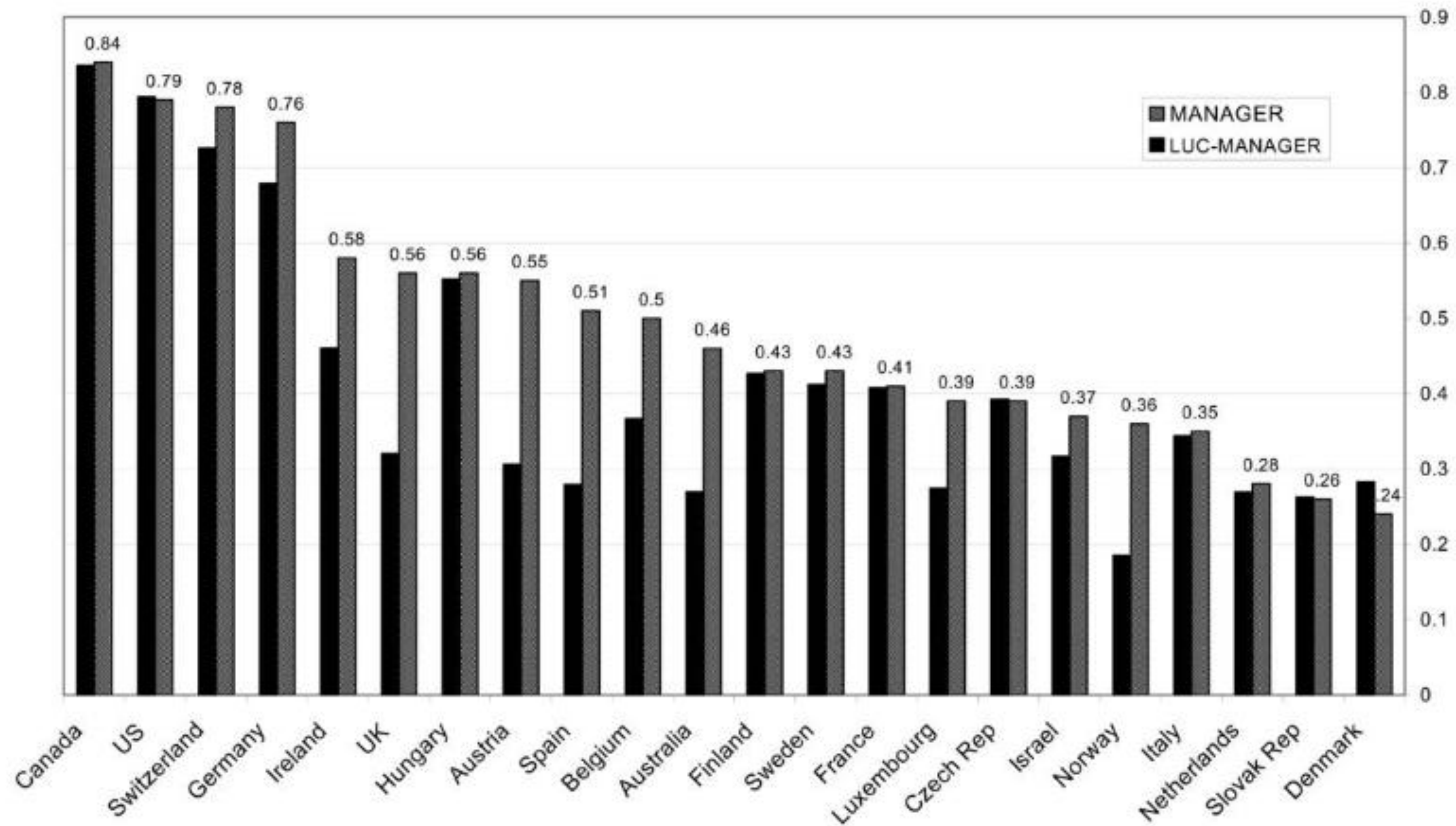


FIG. 6.—Distribution of the net odds (female = 1) to be employed in managerial and in lucrative-managerial positions

Source: Mandel and Semyonov (2006)

# Background

A widely accepted assumption in the comparative family policy lit is that generous leaves heighten employer discrimination against women, esp. high-skilled women (e.g., Mandel & Semyonov, 2006; Pettit & Hook, 2009; Kang, 2021).

The theory:

- Leave-taking imposes costs (e.g., Estévez-Abe 2006);
- Skill deterioration (e.g., Weisshaar, 2018);
- Reorientation of priorities (e.g., Gangl & Ziefle, 2015).
- Increased domestic load (e.g., Schober & Zoch, 2019).



# Previous studies

- Field experiments to test for discrimination get at the “whether”, but not the “why”.
- Studies based on interviews with managers limited to HR managers and certain types of organisations.



# Study design

**Research Question:** Why do employers discriminate (or not) against women as (potential) users of parental leave?

**Dataset:** Semi-structured interviews with UK managers (March-May 2015):

- 4 business owners;
- 12 HR Managers;
- 21 General/Other Managers.

**Sampling strategy:** stratified followed by theoretical.

**Analytical strategy:** “flexible” coding (Deterding & Waters, 2021).

**Table 1.** Sample characteristics

	Small	Medium	Large	TOTAL
Manufacturing, Construction & Trade	1	1	7	9
Real Estate & Business	5	3	0	8
Other Services	2	0	2	4
Transport & Communication	1	1	2	4
Health & Social Work	0	2	1	3
Education	0	2	0	2
Hospitality	1	1	0	2
Public Admin & Defence	1	0	1	2
Utilities	1	0	1	2
Finance	0	1	0	1
<b>TOTAL</b>	<b>12</b>	<b>11</b>	<b>14</b>	<b>37</b>

# Qualitative Secondary Analysis

**Parent study:** *Experiences of Mothers and Employers: Pregnancy and Maternity-Related Discrimination and Disadvantage* by IFF Research (Adams et al., 2016).

QSA minimises the burden on research participants (Heaton, 2011).

Privileged relationship to data  $\neq$  privileged claim on how data are apprehended and recast as *evidence* (Hammersley, 2010; Hughes et al., 2020; Irwin & Winterton, 2012).

*“Historians do not lie awake nights agonising about not being able to do history because they weren’t there” (Bishop, 2006: p.15-16).*

# Contribution

1. Brings a “new” research lens to the material.
2. Systematically analyses the interview data in their own right.



# Employer responses

HOSTILE

AMBIVALENT

RECEPTIVE



# Hostile employers (N=6)

<b>Discrimination</b>	High
<b>Perception of leave</b>	Luxury; peripheral to business outcomes
<b>Rationale</b>	Short-term economic costs
<b>Fairness for whom?</b>	Employer
<b>Company culture</b>	Business
<b>Contact during leave?</b>	No
<b>Perception of one-year leave length</b>	“Fine” (except Janet, who described it as “excessive”)
<b>Perceived cause of complications during leave</b>	Maternity leave itself
<b>Composition</b>	Mostly small business owners
<b>Prior experience</b>	Negative

“It’s certainly weighted in favour of the employee. My main beef is the uncertainty... will I be penalised?”  
(Richard)

# Receptive employers (N=15)

<b>Discrimination</b>	Limited
<b>Perception of leave</b>	Right; core to business outcomes
<b>Rationale</b>	Moral and long-term business case
<b>Fairness for whom?</b>	Employee
<b>Company culture</b>	“Family feel”
<b>Contact during leave?</b>	Yes
<b>Perception of one-year leave length</b>	Supported, with some arguing it should be longer
<b>Perceived cause of complications during leave</b>	Organisational shortcomings (e.g., poor planning)
<b>Composition</b>	Mostly HR Managers/large firms
<b>Prior experience</b>	Positive

“I tell managers think of recruitment as a 20-year investment. If you recruit someone pregnant then they might be out for a year but that’s followed by 19 of work.” (Charlie)

# Ambivalent employers (N=16)

<b>Discrimination</b>	High for specialist roles only
<b>Perception of leave</b>	Contract
<b>Rationale</b>	Mixture
<b>Fairness for whom?</b>	Employer and employee
<b>Company culture</b>	Mixed
<b>Contact during leave?</b>	Yes, with some reservations
<b>Perception of one-year leave length</b>	Mixed – sometimes places businesses under strain, but easier to backfill
<b>Perceived cause of complications during leave</b>	A few “bad apples” taking advantage
<b>Composition</b>	Mostly General Managers
<b>Prior experience</b>	Positive or mixed

“If the manager of my [town] business told me she was pregnant tomorrow, then I know that branch would not survive 12 months... We as a business would have to address that differently to someone who’s a recruitment consultant.” (Phillip)

# Men

Most employers still don't think of men as (potential) leave-takers.



Concerns about men “abusing” their rights among *hostile* employers and about extra administrative burden of Shared Parental Leave among *ambivalent* employers.

# Conclusions

Parental leave rights don't automatically heighten employer discrimination against women.

Many employers position parental leave as core to business, and some take an “ethic of care” perspective.

Responses depend on:

- Managers' personal and professional experience;
- Role in the firm (owner-managers are more invested; HR managers have more knowledge of and confidence in regulations);
- Organisational culture (“family-feel” vs. business) and context (e.g., small vs. large).

