

# Maternity Leave: Policy and Practice

**By Victoria Gordon**  
**Boca Raton, FL: CRC Press, 2013**

Reviewed by *Lorenda A. Naylor*

---

## **Introduction**

Women in the U.S. have made significant advances politically, socially, and economically. The victories achieved during the 1960s feminist movement granted women easier entry into the work force, access to birth control and, as a consequence, more control over their lives. In contrast, today's women are facing a different set of challenges. Today, women are contemplating how to balance careers, education, and motherhood; asking themselves is it possible to have it all? This dilemma has been coined the "Superwoman Myth." (Spar, 2013) At the core of this issue is maternity leave. The question being asked is: "What is a fair and reasonable maternity leave policy in the 21<sup>st</sup> century?" Informing and shaping this national dialogue is Victoria Gordon's book *Maternity Leave: Policy and Practice* (2013). She documents the disconnect between policy and practice and provides compelling evidence that women are still being forced to choose between career and motherhood. The general assumption is that maternity leave is paid, accessible, and based on clear, formal policies. Gordon provides undeniable documentation that this is simply not the case; in fact it is a myth. The reality is that some organizations do not provide any maternity leave and those that do often have unwritten policies. As a result, leave is granted on a case by case basis that raises concerns about equity and fairness. When organizations do have written maternity policies, those policies are often underutilized due to employees' fear of reprisal. This book focuses specifically on maternity leave in public and private institutions of higher education. In addition, it incorporates interviews of women who have used maternity leave. This book is a must read for scholars and practitioners interested in human resources, social equity, parenthood, and career life balance.

## **Content**

Chapter 1 provides a brief introduction framing the subject of maternity leave within the larger context of career life balance. Chapter two describes the historical development of pregnancy and maternity leave policies. Specifically, it provides an overview of federal policy including the

Pregnancy Discrimination Act of 1978, the Family and Medical Leave Act of 1993, which provides unpaid leave, and the Patient Protection and Affordable Care Act of 2010. An appendix containing the text of the legislation is inserted at the end of the chapter for ease of reference. The policy overview lays the foundation for Chapter 3, which discusses maternity leave as an employee benefit. By incorporating data on birth rates, fertility rates, and employment trends for women it presents compelling evidence of the great need for maternity leave. Having documented the increasing and fundamental role of women in the workforce, the author then discusses types of maternity leave (paid and unpaid) and weaves in policy examples to illustrate variations across universities. Chapter 4 segues into the women's health care and core issues women face during pregnancy and after returning to work. Specifically, it highlights challenges associated with infertility, unintended pregnancy, delivery, post-partum depression, breast feeding, bonding, and length of maternity leave. Having documented the need for maternity leave policy and the complexities of such policies, the next three chapters (5, 6, and 7) provide interviews with individual women who recently utilized maternity leave. Specifically, it contains the rationale for qualitative interviews, a list of interview questions, verbatim responses of the interviewees, and the patterns and trends in the key findings from the interviews. The interviews offer a rich understanding of the complexity of maternity leave policy, the shortcomings in implementing these policies, and the policy gaps that remain. In essence, they reveal the disconnect between policy and practice, demonstrating that current policies are inadequate to guarantee a balance between work and family. Maternity leave policies are inconsistent with regard to access, length of time, paid or unpaid, utilization, and shifting work responsibilities (teaching load, service, and research). Chapter 8 captures other voices, including those of fathers, same sex couples, and women without children. Chapter 9 evaluates maternity leave policy in Western Europe offering a rich international comparison to US policies. For example, countries in the European Union offer a minimum of three months paid leave to care for newborns compared to US mothers who receive three months unpaid leave. Length of maternity leave in Europe ranges from twelve weeks (Sweden) to fifty-two weeks (United Kingdom). These comparisons highlight the fact that US maternity leave policies lag behind Western Europe. Chapter 10 concludes with policy recommendations. Specifically, the author advocates for written formal maternity policies and an amendment to the FMLA requiring employers to provide paid maternity leave.

## Contributions

Gordon makes two distinct contributions to the field of public administration. First, she fills a gap in the literature. Currently, maternity leave is absent from the mainstream public administration literature. Maternity leave is a timely topic that has been ignored despite the destructive impact on women in the workforce. Overt and covert discrimination against pregnant women continues today despite federal policy to prevent it. Gordon highlights this unintended outcome through the compelling evidence presented in her book and by creating an understanding of the implementation complexities of maternity policies. Secondly, she makes key recommendations on how to resolve the problem. Specifically, the author proposes that the Family Medical Leave Act be amended to ensure that maternity leave is paid leave. As it stands today, maternity leave under FMLA is unpaid, thus rendering it ineffective since most women and families can't afford to take unpaid leave for twelve weeks. In addition, Gordon argues that all organizations be required to have formal maternity policies. One of the unintended consequences of the FMLA is

that most organizations do not have written formal policies on maternity leave. They rely instead on the FMLA. Formal policies on maternity leave in higher education are required.

In addition to the policy recommendations, the strength of the book is the insightful and informative interviews, which highlighted the discrepancy between policy and practice. The research could have been bolstered by increasing the number of interviews. There were eighteen interviews conducted for the study. However, as noted by the author, some female scholars did not want to be interviewed or identified because of fear of reprisal. It was seen as too risky to speak out on the issue, even though confidentiality was guaranteed. This is disheartening given that the fields of public administration and higher education overall are charged with strengthening the common good and ensuring social equity. If institutions of higher education do not take action, maternity leave will remain a myth. Gordon is applauded for having the courage and conviction to address this invisible discriminatory policy.

## Reference

Spar, Deborah L. 2013, September 2. Shedding the Superwoman Myth. *Chronicle of Higher Education*. [http://chronicle.com/article/Where-Feminism-Went-Wrong/141293/?cid=cr&utm\\_source=cr&utm\\_medium=en](http://chronicle.com/article/Where-Feminism-Went-Wrong/141293/?cid=cr&utm_source=cr&utm_medium=en) [accessed January 31, 2014].

---

**Lorenda A. Naylor, PhD, MPH, MPA**, is an associate professor and director, B.A. in Government and Public Policy, School of Public & International Affairs, University of Baltimore.