

Role of Maternity Leave Benefits in Ensuring the Productive Contribution of Women in Economy

Ms. Rupaliwaghmare, Mrs. Kanchan Bankar

Assistant Professor

L.A.D. & Smt. R.P. College for Women,
Shankar Nagar, Nagpur

Lecturer

L.A.D. & Smt. R.P. College for Women,
Shankar Nagar, Nagpur

Abstract

A maternity benefit is one that every working woman must be entitled to, and her employer should be liable for, the payment of maternity benefit, which is the amount payable to her at the rate of the average daily wage for the period of her actual absence. There is need for maternity benefits so that a woman is to be able to give quality time to her child without having to worry about whether she will lose her job and her source of income. In order to promote women's participation in the workforce, the Maternity Benefit Act, 1961, was amended to provide more beneficial entitlements to women employees. However, they appear to impose the entire cost of these benefits on employers, which could lead to a negative trend in hiring women in meaningful roles. This ensures that women employees are heard and have their professional and personal needs met during this extremely critical life stage – pregnancy & maternity. This paper explores the relationship between maternity leave and productivity. It explains and discusses the different applications of such a benefit, and discusses the change in organizations. This paper then finds, on average, positive as well as negative effect from maternity leave on productivity.

Key Words: Maternity Leave, Productivity, Maternity Act 1961, Workplace.

I. Introduction



The recent amendment to the Maternity Benefit Act has placed India as the third best country in terms of the length of paid maternity leave given to women, ahead of most countries (France, Germany, Australia, Japan and the US) in the Organization for Economic Cooperation and Development. This impressive, welcome move, however, will have to be ably supplemented by additional frameworks of support to create the necessary impact.

This study explores India's Maternity Benefit. It frames it within the discourse on women's work in totality, including unpaid care work and the gendered division of labour. It recognises the act's potential to alleviate new categories of working mothers' unpaid care pressures, protects their employment and enhances

their access to resources. It argues for paradigm shifts away from retrofitting existing gender relationships and towards recognising, reducing and redistributing women's unpaid care work.

Maternity leave in India is a paid leave of absence from work that allows women employees the benefit of taking care of their newly born, and at the same time retain their jobs.

India is a developing country, and our first Maternity leave Act was established back in 1961 called, The Maternity leave Benefit Act 1961. This Act ensured women employees get a paid leave of 12 weeks post-delivery for taking care of the new-born. This Act applied to establishments with ten plus employees. The Act applies to women employees on a contract, permanent basis, or engaged with agencies

The maternity enablement framework springs into action as a woman employee traverses the maternity continuum at her organisation. Maternity continuum refers to phases of maternity that a woman professional goes through in the event of pregnancy; the phases being pre-maternity, during maternity and post maternity. The continuum traces a woman professional's journey through the pregnancy stage up to rejoining post maternity leave.

II. Review Of Literature

- **AnwarulHoda, Durgesh K Rai (2017)**, Working paper on Labour Regulations in India: the study reveals that the workers in organised sector get all welfare benefit, including maternity. Whereas, workers employed in unorganised sector fraught with uncertainty of job and benefit. The study proposed that the government should work towards enhancing social security incrementally in unorganized sector. The study suggested that as a first step, the government should provide for the working women who have to forgo their earning during the period of maternity.

- **Dr. G. Brindha. (2017)**, A Study on Maternity Benefit and Its Effectiveness in Construction Industry: Universal implementation of labour laws by the government, through labour officers, will ensure that the benefit reaches all the workers irrespective of formal or informal sector. Since the unorganised industry is volatile, trade unions through their continuous effort should ensure that the workers are getting their legible rights.

- **Dr. Saundarya Rajesh (2018)**, Maternity Management in Corporate India: This report was a snapshot of how companies instantiate support systems to help manage maternity stages of women, the key challenges faced, the solutions proposed, discussions on systems of impact and the actual impact created. As a result, the progressive changes in Indian organizations redesigning their maternity policies came to the fore.

III. Objectives

- The production covered is medium and small organization.
- The main objective of the study is to probe into various schemes available on maternity benefit, workers awareness of available facilities and whether they are benefitted or not.
- To explore the Rules on Maternity Benefit.
- The maternity act was subject to change due to social & economic changes.

IV. Research Methodology

The study is based on secondary data. Relevant data are availed from various sources of information such as Research Papers, Reports, Books, and Websites etc.

V. Limitations

The study is undertaken by the use of secondary data collected from various sources which may have some deficiencies.

Scope of the study

The study on Maternity Benefit and its effectiveness in production will throw light on various maternity benefit schemes available to the workers in production and will help the workers and management to improve the welfare measures in order to increase job satisfaction and productivity.

What is the Maternity Leave?

“Maternity leave in India” is a paid leave of absence from work that allows women employees the benefit of taking care of their newly born, and at the same time retain their jobs.

India is a developing country, and our first Maternity leave Act was established back in 1961 called, The Maternity leave Benefit Act 1961. This Act ensured women employees get a paid leave of 12 weeks post-delivery for taking care of the new-born. This Act applied to establishments with ten plus employees. The Act applies to women employees on a contract, permanent basis, or engaged with agencies. The current employment scenario has changed, and we have a significant chunk of female employees taking jobs. The maternity act was

subject to change due to social & economic changes. In 2017, The Maternity leave Act was revised as The Maternity leave (Amendment) Bill 2017.

Rules on Maternity Benefit in India

Table 1 Act / Rule	Coverage	Benefit
MB Act, 1961	Factory, mines, Plantation, Shops & Establishment, other establishment notified by government	26 weeks
ESI Act 1948	Factories, establishment notified by government	26 weeks
All India Service Rule, 1955	IAS, IPS, IES, IFS, Medical & Health service	24 weeks *
Central civil service	Central govt employees, railway	180 days *
Working journalist act, 1957	Press & media	12 weeks
BOCC Act, 1996	Construction	6000/-
Unorganized workers social security act, 2008	Unorganized sector	JSY, 6000/-

Some of the Common Concerns of Expecting Mothers Are:

- Will I lose my job because of the pregnancy?
- Will I be able to work for the whole tenure of my pregnancy?
- In case my pregnancy is complicated, and I am unable to work, how will I manage my expenses during pregnancy?
- Will I be able to live up to my professional standards being pregnant and bearing a child?
- What are the benefits I enjoy from the government and my employer as a pregnant employee?
- Are maternity leave paid in India?
- What is the maternity leave for adopting a child?
- As a pregnant mother, do I have the provision of working from home?
- How will I manage the day-care facilities for my new-born?

The Maternity leave Act Applies to:

Establishments like factories, corporate, mines, plantations, shops & establishment act, and government establishments.

- **Eligibility:** For a woman employee to be eligible under this Act, she should have completed working for 80 days in the current establishment in the last 12 months.
- **Payment:** Paid leave is calculated based on the average daily wage for the period of absence.
- **Extension of period:** The Maternity (Amendment) Bill 2017 has extended the earlier 12 weeks' leave to 26 weeks. The pregnant employee can bifurcate the leave as post and pre-delivery. 8 weeks of leave can opt before the delivery and remaining post-childbirth. For women expecting the third child, the maternity leave allotted is 12 weeks.
- **Maternity leave Law for adoptive mothers:** The law states a 12 weeks leave for the adopting mother. This leave starts from the day of adoption and is applicable for the baby below three months of age.
- **Maternity law for commissioning mothers in India:** The advent of technology has brought relief and joy to many families who were unable to conceive naturally. The maternity leave law here states a 12 week leave to the biological mother who imparts her egg to create an embryo which is then planted in another woman.
- **Critical illness post-maternity:** Pregnancy is a complicated process and could be life-threatening too. The Maternity leave Amendment Bill 2017 allows a benefit of one month for women who are suffering from critical circumstances like – Pre-mature delivery, miscarriage & medical termination of pregnancy.
- **Leave for government civil employees:** Female civil employees benefit from a paid leave of 180 days for the first two live-born children.
- **Leave for Private sector employees:** Private sector female employees have to ensure maternity leave policies with their HR team. The leave and payment provisions vary for different companies.

Challenges along the Maternity Continuum:

In this section will exploring the challenges an Indian Woman Professional and her professional ecosystem, faces along the maternity continuum.

Challenges in pre maternity phase

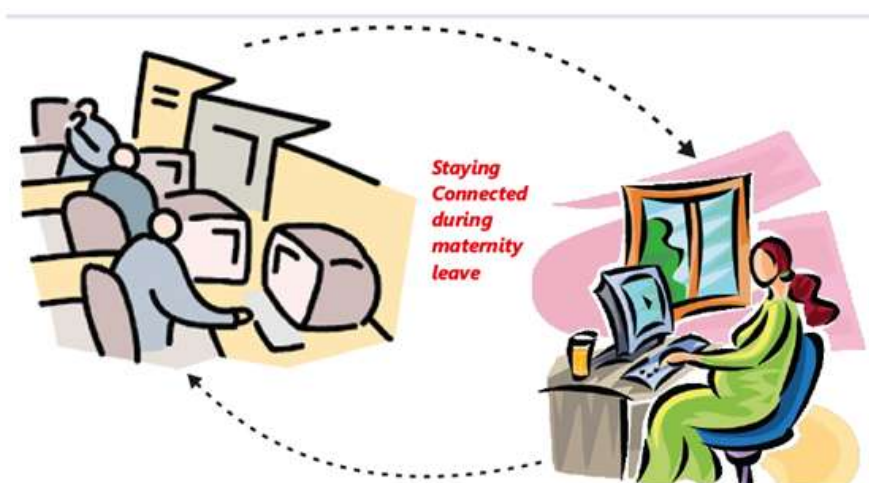
- **Communication Conundrum for announcing pregnancy:** Many women are unsure of the right time of announcing their pregnancy news to their managers. They fear a possible pause in the path of career progression.
- **Career Uncertainty fear:** Mothers-to-be worry about the slowing down of their careers that manifest in various forms, such as a most awaited project getting passed on to a team mate; an important travel being put on hold; and sometimes even a promotion not being given just because she announced her pregnant status.
- **Health Problems in trimester of pregnancy:** The first and the last trimesters of pregnancy are critical to a woman who is traversing pregnancy – health challenges include morning sickness, dizziness, and backache at a later stage and sore feet. Mothers-to-be worry about the impact that it will have on their work.
- **Unplanned Leaves during pregnancy:** As pregnancy progresses, invariably there will be many unforeseen leaves that a mother-to-be is forced to take.

Challenges during the maternity phase

- **Insecurity about job:** A widely prevalent issue around job for a to-be-mother is job security. 87% of women were worried about their roles being taken over by other employees, during their absence. New mothers reported to harbor this concern, especially after the initial, exhausting days post-delivery were over and they geared up for their comebacks.
- **Connectivity gap with employees:** Being physically away from the workplace, leaves an employee disconnected with the organization and peers as well. This could create a huge communication gap between the employer and employee;
- **Emotional Quotient during maternity leave:** Even the most successful career women keep their emotional struggles to themselves because either they feel they shouldn't be seen as weak or they don't have a confidante they can trust. This happens more so during the maternity phase when the emotions are riding high for women with hormonal fluctuations and lack of sleep.
- **Mental Preparedness for the Comeback:** Being away from work during the maternity phase, young mothers have to tide over the feeling of loss of technical agility, as they prepare for the comeback. They are further bogged down on various aspects of post maternity stage -child care, job role, organizational changes, etc.

Challenges during post maternity phase:

- **Work Life Integration suffers:** At least three out of five of young mothers who intend getting back to careers or already back in careers find getting back to work after a baby, an incredibly daunting and difficult experience. The biggest concern is on how they would shuffle between multiple responsibilities that come with motherhood.
- **Role Change in work & life:** Technological advancements and changes are so rapid that it is very often difficult for someone returning from a maternity break to cope with. They find themselves lagging behind in technical skills and coping with social changes in the work environment, becomes a challenge.
- **Work Flexibility so maintain everything:** Negotiating flexibility is a concern for many returning mothers. If not supported by organizational policy, they worry if their requests for flexibility would be considered sensitively.



VI. Conclusion

The statistics around female labor force participation in India show that women exit their workplaces in substantial numbers, every year. The talent deficit that loss of women talent owing to maternity creates is huge. The loss also signifies negative returns on the investment made in training these women. To plug this phenomenon of leaky pipeline especially around the phases of maternity, companies are beginning to accept the significance of young mother-friendly workplaces to offer innovative approaches to support the transition of working women emotionally and professionally. Acknowledging the fact that career transitions at mid-life for women are difficult as well as different, organizations have to implement creative ways to attract and retain talent in an extremely competitive job market. Moreover, employers cannot afford to lose strong contributors. One more we can conclude from this is that maternity leave is likely to have a negative impact also on productivity. However, we are not sure if this is because of adverse effects from the maternity leave itself or simply the period of absence. We present results indicating that general absence has much of the same effects as maternity leave have on productivity and paid for leave is also not beneficial at same time. This study concluded also about company's instantiate support systems to help manage maternity stages of women, the key challenges faced, the solutions proposed, discussions on systems of impact and the actual impact created. As a result, the progressive changes in Indian organizations redesigning their maternity policies came to the fore. Longer maternity leaves, realistic workloads, flexible working hours (part-time, job sharing, telecommuting, and customized schedules), child care facilities, structured phase back programmes and concierge facilities are some of the common features built in the maternity enablement framework in the Indian corporate landscape. Professional handholding that can compensate and reorient the way women look at their careers post-maternity can if not reverse, at-least reduce the instances of career breaks for women. In the simplest terms: better maternity benefits are good for business!!

References

- [1]. Tor Gunnar Saakvitne (2013), Productivity and Maternity Leave – Findings from a Norwegian Insurance Company.
- [2]. AnwarulHoda, Durgesh K Rai (2017), Working paper on Labour Regulations in India.
- [3]. Dr. G. Brindha. (2017), A Study on Maternity Benefit and Its Effectiveness in Construction Industry.
- [4]. Dr. Saundarya Rajesh (2018), Maternity Management in Corporate India.
- [5]. <https://www.startuphrtoolkit.com/>
- [6]. <https://www.startuphrtoolkit.com/maternity-leave-in-india>
- [7]. <https://sheroes.com/articles/maternity-leave-india>
- [8]. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3698961/>