

## Returning to Work After Maternity Leave

### Returning to work after maternity leave

In 1971 only 9% of women returned to their jobs within nine months of childbirth. Now the majority of working women do so and this reflects one of the biggest changes which has occurred in working life in this country. More than ever there is a demand for working patterns to be flexible and to reflect changing attitudes towards full time work.

If you are returning to work after maternity leave you have the right to request reduced hours or part time work but cannot insist upon it. The right to return to the same job is exactly that and does not include a right to require changes in that job.

### So can my employers automatically reject my request for part-time work?

Advice to employers is that they should consider whether an employee's duties can be carried out on a part time basis, or through a job share, but if the employer believes that accommodating the employee's

request is simply not possible or practical, the employer can refuse. Employers should be wary of rejecting such requests unless there is a good reason because they could face a claim for indirect sex discrimination and there is no ceiling on awards that can be made for successful discrimination claims.

The above information is not intended to be a complete or definitive statement of the law. For more information or advice please contact our Employment Law team.