**Supporting Working Parents: Pregnancy and Return to Work National Review**

Submissions from women and men who have experienced discrimination at work while pregnant, or while on or on return to work after taking parental leave

**Submission Number: 27**

**Part C Submission Response**

I took my first maternity leave after I had been [working for my employer] for five years. While it was easy to arrange, I felt pressure to return to work earlier than I had intended. I was allowed one year unpaid leave. I returned to work on a part time basis after six months. This pressure I felt came from the small nature of my department, and my workplace did not replace me while I was away, they simply worked one person short. This did not make me feel valued, and placed the remaining employees under stress and caused resentment towards me. They felt I was simply on leave (holiday) as opposed to caring for a newborn.

My second pregnancy was a shock and I was very ill and unable to hide the fact. Unfortunately I was up for a promotion within my department to a manager. Several weeks after they found out I was pregnant the job was given to another employee who had been there for several years less than me, and who did not have the appropriate qualification for the job. When I asked about why I had missed out on the job, my manager stated that I might not handle the extra work with two children, and that I probably wouldn’t want the extra stress when I was going on maternity leave soon anyway. She also said that, they had decided (before they knew I was pregnant apparently) that I would fill the role in 6 months time after the other employee had a six month stint, but now that wouldn’t be possible.

I took this to a work place relations lawyer, who said I had a case. We looked at pursuing it further, but the only outcome would have been forcing to them to give me the job. I knew that if I did, I would never progress in my organization.

My qualification is very specialised. Due to me questioning the loss of this promotion I no longer believe I have any career progression available to me at my current employer. I also am finding it difficult to negotiate a return to work/new job at another workplace, as I require flexible arrangements until my second child is slightly older due to childcare availability.

Because of this, I sunk into a terrible depression in my second pregnancy. I feel I have now lost my career and my reputation as I did not let the discrimination go unnoticed. I feel resentment towards my newborn and feel extremely unvalued by my workplace.

Even though my organization is only small, it only has one person who does the human resource management. There is no Union presence at my work, and the small committee made to represent the employees for workplace agreements is allowed to sit in on discussions of issues like discrimination, but do not have a qualifications or professional understanding of the laws surrounding it. I also looked at a submission to Fairwork Australia, but as I looked into this it seemed heavily weighted in the employers favour and required ‘hard proof’. This seems difficult, as especially in my case, there was no email trail, or representatives with me during the discussions, it just simply happened in a one on one meeting.

I hope this review draws attention to the fact that pregnancy discrimination is common place, and often goes unnoticed by employers. My employer genuinely still thinks she was looking out for me by reducing my stress. I hope that there is more readily available resources and perhaps a specialised hotline with advice on how to document and pursue pregnancy discrimination, and what rights you have to return to work gradually. I think if a workplace has an application to pay Maternity leave through the government scheme they should be given a resource pack which clearly informs them of their responsibilities to the employee on Maternity leave.