

Here to Help; How Parents Can Ask for Flexibility When Offices Reopen (Part 1)

Mehta, Diane . New York Times , Late Edition (East Coast); New York, N.Y. [New York, N.Y]. 01 Sep 2021: A.3.

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FULL TEXT

With some employers looking to bring staff back to work on-site, here's how parents can ask for schedule accommodations.

Kate Westrin, a mother of two in Denver, used to commute to the office four days a week for her job as a people experience manager at Xero, a cloud-based accounting software company. After working from home throughout the pandemic, returning to her previous schedule felt impossible, she said. With the Delta variant threatening to upend school and day care schedules, she worried that returning to the office would make work and parenting tougher.

After having candid conversations with her employer about her needs, Ms. Westrin plans to be on-site twice a week when her office reopens in October.

"I don't 100 percent have everything figured out," she said. "But I've discussed a hybrid approach with my manager, and have requested flexible work hours around drop-offs and pickups, with the expectation that I'm back online afterwards."

Those talks with her manager have made her feel more supported at work, she said.

Mothers like Ms. Westrin have borne the brunt of the caregiving crisis during the pandemic, with 1.4 million moms of school-age children leaving the workforce from March 2020 to 2021, according to the U.S. Census Bureau. Some employers have helped parents who may have otherwise left their jobs stay put by allowing for remote work and accommodating hours. Now many workers want to maintain their new schedules: A 2021 McKinsey study found that 52 percent of employees prefer a more flexible arrangement – up from 30 percent before the pandemic. As companies make return-to-office plans, not every employee will have leeway for caregiving built into their workday, so I spoke to four employment experts about how parents can ask for a flexible work schedule when it's time to return to the office.

Q: My boss wants me on-site full-time, but I need flexibility to care for my kids. How do I frame my request?

"Flexibility' can mean different things to different people," said Christine Dinan, a senior staff attorney with A Better Balance, a nonprofit worker advocacy organization. "It may mean shifting the start and end times of your shift by an hour so you can put your child on the bus, or having one day a week that you telework. If you're specific about what you need and offer concrete suggestions, it should prompt a conversation with your employer that can help you find a solution that works for everyone."

Marianne Cooper, a sociologist at Stanford University who specializes in gender and work and is a co-author of the Women in the Workplace reports by LeanIn.org and McKinsey, recommended making a case based on your productivity so far during the pandemic. "If you've been working remotely and have met or exceeded expectations, point to that as evidence that you don't need to be in the office all the time to get your job done," she suggested. Rhiannon Staples, chief marketing officer of the H.R. tech platform Hibob, empathizes with workers who find themselves in a caregiving bind: "I'm a single mom with twin 9-year-olds who were remote last year, like everybody else's kids, and being allowed to be offline for a few hours during the day helped me personally." Her employer's

flexibility deepened her commitment to the company, she said.

Ms. Staples, who advises companies on H.R. policy, suggested having a plan B if your boss doesn't agree to your first-choice schedule. "Consider proposing a trial period, or offer to set up regular check-ins with the team," she said.

Q: Do I have a right to a flexible schedule because I'm a parent?

"The employer doesn't have to allow flexible work for a caregiver," said Liz Morris, an employment law expert and deputy director at the Center for WorkLife Law at UC Hastings Law. But employers must offer parents the same workplace flexibility they afford to non-parents under family responsibilities discrimination laws that are on the books in 195 U.S. state and local jurisdictions, she said.

She offered an example for the pandemic: "If a mother is being told they can't stay home, but other people are being allowed to continue working from home, that could be illegal, especially if it's based on unfounded assumptions that mothers are going to put their jobs second, and they can't be trusted to do their work if their children are around."

Q: How do I make sure my career and authority aren't sidelined while I'm working remotely?

"Be very explicit about your career goals and aspirations," Dr. Cooper said. When women are of childbearing age or have children, for example, there's often an assumption they're going to de-prioritize their career to focus on their family, she said. "One way to counteract those assumptions and biases is to say: 'Here's my plan for the next three years, and I'm eager to work on these kinds of projects.' This is a way to push back on assumptions people may not even realize they have about you."

Q: I'm allowed to work from home, but most of my team will be in the office. How do I show that I'm working hard?

"What you are trying to prevent is a perception that you are contributing less, which can happen when you're working flexibly," Dr. Cooper said. "To counteract that, keep a list of what you're working on and regularly communicate that to your team members and manager. If managers have your accomplishments top of mind, that's what they're going to filter into their assessments."

Q: If my children have to quarantine at home, or school closes, what's the best way to ask for a schedule change? Say it straight, Dr. Cooper said: "This is a public health emergency beyond my control, so here's what I can do given these constraints, and let's work together to figure out a way through it."

Remember that there's nothing wrong with asking for flexibility, especially if you lay out the facts. At the same time, be mindful of how your employer may respond, and document your conversations when possible in time-stamped emails. Laws in only three U.S. states and six cities provide protection against retaliation when an employee requests a schedule change, Ms. Dinan said. And a recent survey conducted by A Better Balance and the New York City Comptroller found that caregivers earning less than \$50,000 per year were twice as likely to experience retaliation after requesting flexibility from their employers as those making more than \$100,000.

Q: Am I entitled to time off if I or my child gets sick?

In addition to any sick leave you have, the Family and Medical Leave Act gives eligible workers 12 weeks of job-protected unpaid leave if they or a family member has a serious health condition. You cannot use F.M.L.A. time to stay home to avoid contracting Covid-19 or to care for healthy children affected by school closures.

State and local laws fill in some of the gaps. Nine U.S. states and the District of Columbia offer paid family and medical leave. Similar to the F.M.L.A., some laws permit time off to care for a child or family member with a serious health condition.

Since the pandemic began, many states have enacted emergency sick leave laws to cover Covid 19-related needs. Look up your state's laws in A Better Balance's tracker.

Q: How do I plan for uncertainty during the school year without being singled out?

Consider connecting with other parents in the workplace to submit questions to management as a group, Dr. Cooper said: "Doing something as a collective signals that this is an issue employees are experiencing." Questions such as: "What is the company's stance if there are school shutdowns, or if distance learning is imposed again?" are a good start, she said.

Photograph

(PHOTOGRAPH BY Derek Brahney FOR THE NEW YORK TIMES)

DETAILS

Subject:	Schedules; Parents &parenting; Workers; Careers; Flexible hours; Sick leave; Employees; Employment; Pandemics; Flexibility; Families &family life; Labor law; Children &youth; Employers; Onsite; COVID-19
Business indexing term:	Subject: Workers Careers Flexible hours Sick leave Employees Employment Labor law Employers
Location:	United States--US
URL:	https://www.nytimes.com/2021/08/25/well/family/return-to-office-parents-help.html
Publication title:	New York Times, Late Edition (East Coast); New York, N.Y.
Pages:	A.3
Publication year:	2021
Publication date:	Sep 1, 2021
Section:	A
Publisher:	New York Times Company
Place of publication:	New York, N.Y.
Country of publication:	United States, New York, N.Y.
Publication subject:	General Interest Periodicals--United States
ISSN:	03624331
Source type:	Newspaper
Language of publication:	English
Document type:	News
ProQuest document ID:	2567832767
Document URL:	https://www.proquest.com/newspapers/here-help-how-parents-can-ask-flexibility-when/docview/2567832767/se-2?accountid=44910
Copyright:	Copyright New York Times Company Sep 1, 2021

Last updated: 2021-09-01

Database: U.S. Major Dailies

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