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Journal for Educators, Teachers and Trainers, Vol. 13 (2)

<https://jett.labosfor.com/>

Date of reception: 20 Feb 2022

Date of revision: 20 Apr 2022

Date of acceptance: 01 May 2022

N. Aariya, Girija Anil (2022). A Study On The Impact Of Maternity Benefit On Teacher's Career And Increase In Post Maternity Attrition Rate In India *Journal for Educators, Teachers and Trainers*, Vol. 13(2). 207 – 214.

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ABSTRACT

India will never put poverty in a museum unless they increase the participation of women in the work force. The purpose of the study is to observe the impact level of Maternity law in India, on women teachers' employment. This research is based on the survey conducted with the help of questionnaires that were asked to 206 school teachers (women). The objective of the study is to find the level of management support, what kind of maternity benefits are provided, and the prevailing gender discrimination and termination due to maternity relief. The survey found that more than 82% of those interviewed who are working under the organization had encountered a situation where an employer is forcing to take a sick-leave or break which in turn is a kind of covered terminating where the female teachers are facing on account of their pregnancy. It is also found that the women in the working experience of 2-5 years are mostly affected. In addition, female employees who benefit from this maternity relief are not able to re-join due to the lack of Work-Life balance provisions provided by the management. The study finds that Management forces their female employees to re-join after their maternity period. But most woman are not returning into the work force category after the prolonged maternity leave. Due to gender pay gap and gender discrimination their participation in the National economy also drops. The work-life balance is still not under legal provisions and it should be incorporated in the policies to increase gender equality at work.

Keywords: Maternity, school management, teachers, Equal opportunities, Gender diversity and inclusion, Work-Life Balance, Workplace.

INTRODUCTION

Maternity is the period between the pregnancy and shortly after delivery. The maternity benefit regulates the employment of women in specific institutions during specific periods before and after childbirth, and stipulates maternity benefits and some other benefits. Legislation for professional women is always a double-edged sword. India's first law for working women was the Bombay maternity Benefit Bill which was first introduced in 1929 in the Bombay legislative council. The bill was originally proposed in Mumbai because it is the textile centre of India, with more textile industries and a larger working population This act shall apply only to the Bombay Suburban Districts and the cities, where the woman employed in a factory shall be entitled to the payment of Maternity benefit, and the maximum period for the maternity benefit according to this act is only 8 weeks. Later after the Independence the Maternity Benefit Act, 1961 was enacted as per Article 42 of the constitution which states Humane working conditions for pregnant women and taking into account all legislation before the constitution and the revised ILO Maternity Protection Convention, 1952. Further amendments were made in the maternity benefit in India and the last amendment was made in 2017.

Though many government initiatives were taken in the maternity benefits to regulate women's employment during the pregnancy period and the regulations during the post maternity period. The women employees are cut down and there is a huge discrimination prevailing in the society to their women, because the maternity benefits like payment of salary and other medical bonus are a huge and additional burden to the management. So, by stating the overdue expenses the management is hiring female teachers at a low salary. As a result of it the percentage of pre and post maternity attrition rate in India is increasing for every financial year.

The new amendment not only affected the employment but also the management of small and medium sized schools. The recent study reveals that about 61% of schools want exemption from providing maternity benefits for small schools with recognition only up to 8th standard or below.

HYPOTHESIS

H0 - There is no significant association between the forced termination of female teachers due to pregnancy and their working experience

H1 – There is significant association between the forced termination of female teachers due to pregnancy and their working experience

OBJECTIVE OF THE STUDY:

- To study the facility provided for the female teachers, working in the schools during the pre-maternity period.
- To understand the level of the management's support during the maternity period and the level of benefits provided as per norms to the women teachers.
- To analyse the discrimination on employment and terminations prevailing in the schools against the pregnant teachers.

METHODOLOGY:

The researcher obtained primary sources of data using a questionnaire. The respondents were 200 school teachers (women) employed in private schools of Chennai, India. The secondary sources of data such as books, journals, websites and newspapers. The research method employed here is quantitative study. The participants were selected using snowball sampling method.

REVIEW OF LITERATURE

[Reddy, R., 2019], the author tries to examine the workplace experience of woman employee during maternity and post-maternity periods, and the findings of the research study concluded that women employee are facing the work disengagement and work role degradation, including the career discontinuity.

[Hulcombe, J; Capra, S; Whitehouse, G; 2020], the author aims to study detailed description of the flexible working arrangements (FWA) used by the allied health professionals on return from maternity leave. The author concludes that most AHPs who took maternity leave returned to work part-time and remained part-time for an extended period. This is due to the permanent backfill of proportion of hours released due to FWA.

[Hicks, J. 2019]. The author studies to analyse how woman in South Africa mobilised around the need for a legislative response to a critical gender justice issue, namely access to maternity benefits in the informal economy. The author concludes this paper by capturing the rights considerations and aspirations relating to women in the informal economy, and how such workers successfully navigated and generated the law reform initiative.

[Andysz, A ; Jacukowicz, A Stanczak, A ; Drabek, M., 2016]. The author aimed at indicating availability and the use of legal benefits supporting work-life balance (WLB) among the Polish workers of small and medium enterprises. The study finds that 45% of the women respondents who took leave during their maternity period, in the majority did not return to the same position after leave. It shows the attrition rate of the women employee are increasing due to less legal provision of WLB in the legislation.

[Wang, J; Wong, RSK., 2021]. The author tries to examine the association between the period age-specific fertility rate (ASFR), as a proxy for the likelihood of women taking maternity leave, and the earnings of young working women and men, as well as its variation across economic sectors. The author concludes his study by findings that employers in the private sector may use aggregate fertility to "evaluate" potential training and replacement costs and the productivity of female employees associated with maternity leave, thereby reinforcing and perpetuating stereotypes and discrimination against women in the workplace.

[Akhtar, T; Khan, MA., 2020]. The author in this discusses the factors related with women's career progress, the negative aspects were found to be domination of men in senior executive positions, discrimination against women, and gender stereotyping. The main objective of this paper was to find the point of view of employers in regarding the pregnancy at workplace, their concerns and challenges and how they place themselves in the whole scenario of changing environment for a worker. The author concludes this study with his findings that pregnancy is not a welcoming event at all in the workplace. There is a great chaos regarding workload shared by the colleagues in pregnant women's absence. During the maternity leave, cost of hiring a new person and training are the issues raised by the employers especially in small organizations.

[DR. Rajshri., 2020], he has taken a survey to study the effectiveness and impact of Maternity Benefit (Amendment) Act 2017, on women employees who are working in an unorganised sector around Nagpur Maharashtra. The sample size of the study was 50 from women working on the construction site. And it was found that unorganised sector 96% of the women are unaware of the Industrial type they are working in, and the statutory benefits available to them, moreover they do not have any trade union or Welfare board to educate them and fight for their legal rights.

[Gayathri Devi M, DR K Loga Sakthi., 2020] the study was on the comparative analysis on maternity benefit in India with other countries, the main objective of this study is to gain knowledge of maternity benefit schemes

and the comparison with other countries, the research methodology used in this article is study of new facts and contribution of new facts, it is a process of analysing available data and modify certain result based on the analysis. Sources used for doing this research paper are articles in websites, research papers and journals which give knowledge on Maternity benefit schemes in India and other country.

[Kusuma Naik M. V, Vedavathy Nayak, Renuka Ramaiah, Praneetha.,2017]. The study was on the relation between work related risk factors and some adverse pregnancy outcome among a representative sample of working pregnant women attending the antenatal care at ESIC MC and PGIMSIR, Bangalore. In their survey on work place stress survey (WSS), 100% of women are encountering problems at work place and they are having problems during their pregnancy the study also found women working more than 40 hours/week are having a significant adverse pregnancy outcome

[Mitu,A, 2014], the study was on the awareness of the maternity benefits and how it has impacted the organisations that are operating in the semi urban area, and the level of support from the employer of the small-scale organisations located in the Odisha.The results are like around 68% of the woman employees are only partially aware of the maternity benefit and a major share of 43.95% respondents have stated that the organisations are providing only a partial benefit.Organizations and employers are viewing this six-month maternity leave as a loss to the organization

[Juengst, S.B; Royston, A; Huang, L; Wright B., 2019]. The author in this paper tries to characterize family leave and Return-to-work experiences of physician mothers across subspecialties. The author concludes with this survey evidence that (female) physicians taking 11 weeks to 6 months maternity leave are often not paid. And after returning to work they are facing negative experiences like lack of facilities for breastfeeding, difficulty obtaining child care and discrimination. The author suggests that there is a need and want for more support for maternity leave and return to work. Support from the institutional level includes paid leave would provide the greatest direct assistance to help physician mothers thrive in their careers.

[Chai, Y; Rlos-Salas,V; Stek, P; Heymann,J., 2021]. The author tries to examine the impact of paid maternity leave policy on decision-making in households and gender norms in the workplace, especially whether women are perceived as having an equal right to jobs when jobs are scarce. The author concludes that more generous maternity leave increases gender equality in economic decision-making in the household and improves gender norms related to work.

[Blunch, N; H., 2018]. The author tries to examine the incidence and determinants of the gender income gap in Kazakhstan, Macedonia, Moldova, Serbia, Tajikistan, and Ukraine using recent household data based on an identical survey instrument across countries. The author concludes that attention should be given towards institutions and economic policy for decreasing the gender income gap in these former formerly gender-neutral economies—notably through attention should also be given towards the maternity and paternity leave system, as well as public provision of child care.

[Busby, N., 2018]. The paper is a critique of law and policy related to the positive rights in relation to pregnancy and maternity and the steps taken towards ensuring the goal of full employment leading to specific measures intended to equalize employment conditions for those with non-standard working arrangements and to encourage shared parenting between men and women.

[Turatti, B.O; Moretti Pires, R.O., 2017]. The author brings out the issue of Brazilian women who are the target of discrimination in the workplace, and are facing violence related to gender relations and moral harassment, especially when they are pregnant. The author concludes that in Brazil the rights of pregnant women to temporary stability, free time for medical examinations, change of duties, and maternity leave contrast with the usurpation of the administration's workforce.

[Costantini,A; Warasin,R; Sartori, R; Mantovan,F., 2022]. The author tries to find the difficulties ‘Women face when returning to work after maternity leave. The research aimed at gaining insight into the experience of nurses who returned to work after prolonged maternity leave. The author organized four main categories for analysing the situation on Child nurturing, Family and Work, loss and gains and handling the return. Results showed that returning to work after prolonged maternity leave is characterized by both gains and difficulties entailed by the combination of family and work. The author gives a valid suggestion as social support can increase the motivation and pleasure of working.

FINDINGS AND ANALYSIS:

The demographic profile of the respondents is given below

Table 1: Profile of the sample

Variable	Category	Percentage frequency
Age	20-25 years	28.2%
	26-30 years	39.3%
	31-40 years	20.4%

	Above 40 years	12.1%
Teaching Experience	Less than 2 years	22.3%
	2-5 years	36.4%
	5-10 years	28.6%
	Above 10years	12.6%
Marital status	Married	82%
	Unmarried	18%
Have availed maternity leave before	Yes	58.7%
	No	41.3%

In this survey, the woman employees who answered 39.3% were in the 26-30-years age group, and their teaching experience are around 2-5 years. The survey includes 58.7% of the respondents who have taken maternity leave before, their experience and problems in maternity leave help the survey to obtain effective results.

The response from the employees on the maternity benefits provided and the details are as follows

Table 2:Maternity benefits Provided

Payment of salary	Yes	64.6%
	No	35.4%
Creche facility	Yes	13.6%
	No	86.4%
Light work before leave	Yes	39.8%
	No	60.2%
Ease of access in schools (sitting and handling classes without using board, not carrying weights)	Yes	22.3%
	No	77.7%

It can be seen that 86.4% of the respondents said that their management did not provide a nursery time or creche facility for the mother to take care of the new born while she is engagement in her work in the workspace. And more over 60.2% of the employer has stated they are not provided with the Light work before the maternity leave, majority of the woman employees 77.7%, were also not given any ease of work in schools like being seated and handling classes without using boards, not carrying notebook and answer sheet bundles, during their pregnancy. In terms of wage payment, 64.6% of working women who took maternity leave received their payments, and about 35.4% of employees did not receive wages during their pregnancy time.

The employees' opinions on the management and procedures of maternity relief are listed below

Table 3: Employees Acquaintance on Maternity Leave

Statement	Strongly Agree	Agree	Neutral	Don't Agree	Strongly Don't Agree
Management provides support during maternity leave	8.7%	5.3%	13.1%	35.4%	37.4%
Formalities for getting maternity leave are not complicated	12.1%	31.1%	41.3%	13.6%	1.9%
Management discriminated female teaching staff for availing on maternity relief	33.5%	29.1%	24.3%	6.3%	6.8%

In this survey, 33.5% of teachers fully agree that management is discriminating against the female teaching stafffor availingthe maternity benefits. And also, it can be seen clearly that 37.4% of those surveyed strongly opposed the statement on management support during maternity leave. But 41.3% of the female teaching staff interviewed maintained a neutral attitude towards simple maternity leave procedures. There is a widespread discrimination against female teaching staff from the side of Management. Therefore, policy and legislature must

implement stringent employer obligations from forcing to take sick leave and showing gender discrimination in these aspects.

In order to identify and understand the impact of maternity benefit relating to the level of experience of the responded employees, chi square analysis is done and the results are as follows

Table 4: Relationship between Maternity benefit and Profile of respondents

Maternity benefits	Individual characteristics	Chi square value	P value	Result
Have you come across the termination of woman teachers on account of pregnancy	Working Experience	15.694	0.001	H0 rejected

It can be inferred from the above table that, in terms of maternity leave benefits, managements do not support teachers with work experience between 2-5 years, and they also find there is a large number of terminations (forced resignations) of employment happening for women in their age groups.

Table 5: Analysis of Variance – ANOVA output

Depended variable	Independent variable	F value	P value	Result
Management discriminates woman based on the maternity relief	Experienc	6.313	.000	H0 rejected

According to the survey of employees working in the Chennai area of Tamil Nadu, major employees who are having a working experience of 2-5 years are facing discrimination from school management against female employees on maternity grounds.

DISCUSSIONS

Woman who are in the work force category are at one point forced to leave their job for taking care of their new-born because the current organisation and management systems are not ready to support the work-life balance. Mostly women are only involved in taking care of their families and domestic works, and due to the care work and lack of maternity benefit protection, it has created a gender inequality.

When a working woman gets pregnant the employer sees her as a burden because the management has to provide her with the maternity benefits and paid leave. But no organization and management are ready to pay for their maternity leave. Instead, the women are asked to take a break, the employer finds it costly to appoint a substitute for a short period. Wherein they completely replace another new person for the vacant position and so the chance of re-joining the same job in the same establishment is now a question for the woman who went on for the maternity leave.

Even in the least case scenario the woman who are returning to work after the maturity period are not provided with the flexible jobs for balancing the work life. The female teachers who are leaving their new born at the care of others, are worried of their safety. This issue can be rectified by providing a nursing time and creche facility inside the work place. But the management sees this as an additional expense and tries to avoid heiring young woman.

When a young woman who is forced to leave their jobs for their pregnancy and care works are never able to return for their work. Though laws are in the white papers the compliance of the law also plays a major role in the effective implementation of the law. The management should bring a agenda of accepting women even during their maternity period and provide them with all the benefits. And after returning to work, provisions to balance work-life should be supported to both male and female. The system of only seeing the woman as a born person for taking care of the children's, elderly and domestic work should be removed and parental concept should be supported in the working environment.

CONCLUSION

The maternity benefits are the mandatory duty of the any organisation/managements and every working woman is entitled to maternity allowance during her pregnancy time, the management is responsible for the payment of

maternity allowance, which will be the amount paid to them at the average daily wage rate during their absence from work. The study concluded that managements are not ready to hold woman employees during their pregnancy and instead forcing them to resign for the time period. So, they are facing a heavy job loss in recent years. Major finding in this survey is majority 72% of the respondents have agreed that employers are forcefully making pregnant women to resign on account of pregnancy and the maternity benefit. The reason stated to woman employees for compulsory dismissal is that employers are unable to pay their salary to them during pre-maternity period and around 86% of the respondents stated that in the post maternity period they are not provided the creche facility and 60% of the respondents said they are not given the light work before leave. Therefore, the government should take the initiative to establish a committee to solve the problem of overdue expenses by cutting their (employer's) taxes and providing any other benefits, so that employers do not feel any burden while they providing benefits to employees.

RECOMMENDATIONS AND FUTURE RESEARCH

The researcher recommends the future research on Reducing gender discriminations by improving the work life balance. The research can be done based on including both men and women in the care work, replacing the traditional believe of woman is the only one to take care of the family. Research can be done on the concept of adding work-life balance provisions in the labour laws. The ways to reduce the financial burden of the employer when they provide the maternity benefits.

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