

Is Maternity Discrimination Pushing Women out of Work? A Case Study of Maternity Experiences of Working Women in Malaysia

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Abstract : In Malaysia, report on discrimination against pregnant women at work does exist, and this issue should be taken seriously as large proportion of women in the workforce in Malaysia are of reproductive age. It has been well established that women tend to leave the workforce because of their responsibility in raising the family, to care for family members and, also due to lack of work-life balance. In this case, women find themselves disadvantaged in career and job advancements due to gender roles and expectations connected with maternity. This maternity discrimination have pushed women out of work although The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), to which Malaysia is a party, considers discrimination on the ground of maternity is a form of gender discrimination because it hinders women of their effective right to work and requires that special protection be provided for women during maternity to ensure their ability to enjoy the right to work (Article 11(2)). What factors prevent women from returning to work and at the same time performing their gender roles expectations? Using semi-structured in-depth interviews this paper explores the experiences of maternity discrimination and their perspectives towards their work employment. 15 women employees who were pregnant or had given birth during her employment period in public and private organizations in Malaysia were participated in this study. While data were analyzed using narrative analysis, respondents were asked on issues related to managing pregnancy, maternity leave and returning to work. The findings revealed that several respondents from private companies stated that they were either dismissed or forced to take unpaid leave due to the company policies. In some cases, respondents also shared how they were treated poorly that they felt that they had to leave their jobs. However, in public organization, the maternity policy implemented showed the support that the employees received from their employer. Study shows that supportive family and employers will encourage employees to return to work. Reasonable adjustments in terms of maternity policies at workplace such as allowing sufficient time in postnatal appointments, offering clear explanation on maternity issues at workplace are something that employees expected from their employers.

Keywords : maternity discrimination, women and work, gender, maternity protection, Malaysia

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