

# How Long is Maternity Leave?



**How long your maternity leave is, and whether or not you get paid while away will depend on where you work, how long you have worked there, and where you live.**

Pregnancy is a life-changing event that could take some planning to ensure that you and your family will remain financially stable while having some much-needed bonding time with your baby.

One of the first things expectant parents face is how long their maternity leave will be, and what laws are in place to protect their parental rights. Here's what we know.

## Your Maternity Leave Rights

In the United States, the Family and Medical Leave Act (FMLA) is a law that protects your job for up to 12 weeks after childbirth. This means that you cannot be fired for taking time off to care for your new baby. While 12 weeks may seem like a decent amount of time, here's the

rub. **The FMLA does not require that you're paid during those 12 weeks.** It only guarantees that your job, or at least one similar in pay and benefits will be there for you when you return.

**Additionally, you can only take advantage of FMLA if:**

- You work at a company with more than 50 employees within 75 miles
- You work within 75 miles of your workplace
- Have worked at your company for a minimum of 1,250 hours that precede the date of leave

Part-time workers are covered under FMLA law if they satisfy the above requirements.

**The FMLA does not require that you're paid during your 12 weeks of maternity leave.**

## Paternal Leave for Men and Adoptive Parents

The good news is that the FMLA covers paternity leave for men as well as leave for both adoptive mothers and fathers.

Additionally, FMLA ensures that any health benefits you currently have are maintained during your parental leave.

## Getting Paid During Maternity Leave

Whether or not you will receive paid family leave depends on what your employer offers. As we mentioned earlier, even though the FMLA allows you to take up to 12 weeks maternity leave from your workplace, under federal law you're only guaranteed unpaid time away. If

you're currently expecting or trying to conceive, it's important that you evaluate your workplace's paid parental leave policies and plan accordingly.

Some employers who do pay for maternity leave might not cover the entire 12 weeks or pay you 100% of your salary or wage. Some companies will only offer partially paid maternity leave that might technically fall under sick leave or short-term disability policy, so be sure to check what your options are.

A handful of states including [California](#), [New Jersey](#), [New York](#), and [Rhode Island](#) offer partially paid leave, so if you're fortunate to reside in one of those states, be sure to check what additional benefits you might be able to take advantage of. Learn more about [Paid Family Leave Resources](#).

## What to Do if Your Workplace Doesn't Offer Maternity Leave

The average maternity leave length can range anywhere from six weeks to three months, but every company has their own policy, so time off can vary greatly for each expecting mom.

If your workplace doesn't have an official maternity plan in place, start a dialogue with your boss as soon as possible.

You can also start planning for your time off of work by:

- Stockpiling paid sick days or vacation time
- Asking if you can work remotely if your job type allows it
- Finding out if you can work part time or more flexible hours
- Coordinating your paternity leave with your partner's for more paid time off
- Saving money in advance for your time off

## When Should You Take Maternity Leave?

This is entirely up to you to decide. There's no set time or date that you are required to start your leave. Some women will start their maternity leave a week or two before their due date to make it easier on them during the last few weeks of pregnancy. Other expectant moms will wait right up until they go into labor in order to take advantage of the most possible time off after the arrival of their baby.

## Going Back to Work

Going back to work can be tough on new parents. The idea of leaving your new baby can be a very difficult transition. If you work a Monday through Friday job, try scheduling your return for a Wednesday or Thursday so that you can ease yourself back into your position by having the weekend off.

Remember that it's completely normal to be somewhat "out of it" upon your return. It may take a few days or even weeks to get back into the swing of things.

