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Miscarriage leave, a benefit no one wants to use, on the rise

Melia Russell July 12, 2019 Updated: July 22, 2019 8:23 a.m.

The day after the miscarriage, Julia and Jack Altman watched “Friday Night Lights” reruns and ordered a lot of restaurant takeout.

Julia, who was then working part time as a nurse practitioner, called in sick for two more days. She was tired. Sad. The time off, she said, let her recalibrate

“It was clear from the ultrasound that the pregnancy was not developing normally,” said Julia, who was seven weeks along. “I kept on asking: Are you sure?”

Now, Jack’s startup, Lattice, a 3-year-old San Francisco company that makes software for performance reviews, gives all employees five days off in the event of a pregnancy loss, the same number of days it offers for bereavement leave.

Tech companies are well known for having youthful workers. But in San Francisco’s tight labor market, companies are increasingly offering support to employees on the cusp of parenting. Miscarriage leave is still rare, but plenty of firms provide subsidies for egg-freezing and surrogacy. Longer-than-mandated parental leave is also in the mix, as is subsidized breast-milk delivery and “transition coaching” for new parents.

“As the workforce begins to mature, what they want from a benefits perspective is changing,” said Bo Young Lee, who leads diversity and inclusion at Uber, where employees with miscarriages can take medical leave. “Now they’re like, ‘Hey, I’m about to bring a little human into the world. How can you help me?’”

Miscarriage leave, of course, is a benefit no one wants to use.

As many as 1 in 5 pregnancies results in a loss. Anyone can experience it, but a key group is women who focus on their careers before having children, because the risk of miscarriage rises sharply after age 35.

California law entitles expecting employees to time off for disabilities related to a pregnancy, which can include miscarriage. The health care provider can recommend up to four months of leave, though the employer may require that sick days be used to cover part of the time.

A few companies are going a step farther.

Lattice offers five paid days of miscarriage leave, separate from sick days and bereavement leave. It doesn't require the employee — male or female — provide a doctor's note, and would let him or her take a longer leave if needed.

Jack Altman wants the policy to signal that miscarriages happen, more often than people believe. "I think so much of what makes it difficult is that on Monday, you have to go to work and you can't even talk about it," he said.

The policy also covers employees who have abortions, "the thinking being that an abortion, Reddit, which has about 300 employees in its San Francisco headquarters, gives 8½ paid weeks to employees who have pregnancy losses. It's available whether the employee or partner had a miscarriage, their surrogate did or an adoption fell through. Someone who has an abortion also qualifies.

A dedicated policy makes all the difference, said Katelin Holloway, who leads people and culture at Reddit. She knows from experience.

In a previous job, Holloway was working late one night to put together slides for a board meeting. ("I had been trying to conceive for about a year at this point," she said in an email.) The first wave of cramping passed. On the second, she stood up from her desk and felt a rush of blood.

"Instead of going to the emergency room, I went home. I knew what had happened, and I didn't have the stomach to hear a doctor say it out loud," she said. "I got home, finished my board deck slides."

She delivered the presentation in the morning, then went to the hospital to confirm the miscarriage.

Holloway believes a "pregnancy loss leave" signals to employees that Reddit supports them. They don't have to dip into paid time off or use sick days or bereavement leave. An employee needs to tell only one person: the human resources partner for the department. No doctor's note is required.

"We trust our people," she said. "That's a fundamental part of being an employee here is that we believe in the integrity of our employees."

Most employers don't have specific miscarriage policies. Yelp asks employees to use sick days or disability leave if medically necessary, while Microsoft says a miscarriage qualifies an employee for up to two weeks of bereavement leave. Adobe lets employees take time to grieve a pregnancy loss using the company's unlimited paid time off.

At Uber, an employee should discuss with her doctor how much time off is advised, according to Lee, who had a miscarriage before joining Uber. She acknowledges that the trauma isn't always physical.

If employees need time off that isn't medically advised, they "can have that conversation" with their manager, she said. "That's something we're trying to normalize: These are the things that matter."

There are obvious downsides to taking miscarriage leave. A woman may worry that an employer could be less likely to put her up for a promotion knowing she hopes to later take maternity leave, even though that's not supposed to happen, said Jaime-Alexis Fowler, whose nonprofit, Empower Work, operates a text-based hotline with free support and counseling for tough work-related situations.

Some employees may not even want miscarriage leave. Most losses occur in the first trimester, before the pregnancy is visible, and many women choose to keep their pregnancy — and grief — to themselves. It may be stressful even to tell a well-meaning human resources executive.

Three years ago, Stephanie Lee, an employee at Zendesk, took her toddler daughter with her to a prenatal appointment to hear the new baby's heartbeat. But there was none. The doctor later confirmed a miscarriage.

Lee's pregnancy was far enough along that she needed a surgical procedure to remove the tissue. She scheduled it on a Wednesday and took a couple of sick days to recover. In that time, the cramping stopped. The feelings of guilt and anxiety did not.

"I had this note in my phone. I wrote through all the reasons why I didn't deserve to have a baby," said Lee, her voice cracking. "I just punished myself. I thought it was my fault."

Zendesk doesn't have a specific leave policy for miscarriage, and Lee doesn't know whether she would take advantage if it did. She worries that an employee could be accidentally outed to co-workers.

"That would be very jarring. I think especially in the startup world where you're dealing with a lot of young people who are just trying to figure out their Friday night, let alone family planning," said Lee, who gave birth to a son last year after two more losses.

Historically, companies have avoided employee benefits that involve more time off because of the costs, said Cynthia Calvert, a Baltimore employment lawyer who advises companies on pregnancy accommodations.

But with record low unemployment, "What we see are employers working harder and harder to come up with benefits that will be meaningful to the type of workers they're trying to attract and retain," she said.

It can be hard to know how to structure a policy. Most women recover from the cramping and bleeding of an early pregnancy loss in two weeks, said Dr. Dana Gossett, chief of obstetrics and gynecology at UCSF. But the emotional recovery is a lot more variable.

“What is the appropriate amount of time to grieve?” said Dr. S. Zev Williams, chief of Columbia University’s Division of Reproductive Endocrinology and Infertility. “I don’t think anyone could come up with a right number.”

Tony Hsieh, a product director in San Francisco (not the multimillionaire internet entrepreneur of the same name), essentially took miscarriage leave while working at his startup. He didn’t have a name for it then.

The couple had three miscarriages in about a year. The second was “infinitely worse,” Hsieh said. He and his wife, Tian, had heard the baby’s heartbeat. They knew the gender. He died at 13 weeks.

After the couple’s first round of in vitro fertilization failed to produce a viable embryo, “we had to get away,” Hsieh said. “We could not stay in the same apartment every day and see the same things.”

They put in late requests for vacation time and used credit card points to pay for a week in Maui.

“It allowed us to reset, realize there’s this beautiful world out there,” Hsieh said.

The couple later had a daughter, Ella Faith, who turns 1 this month.

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Correction: A photo caption in an earlier version of this story gave an incorrect figure for the number of miscarriages Stephanie Lee experienced. She experienced three between the births of her two children.

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