Taking and Returning from a Leave of Absence: Tools and Tricks to Ease the Way

Meg Butler
Georgia State University College of Law, mbutler@gsu.edu

Follow this and additional works at: https://readingroom.law.gsu.edu/faculty_pub
Part of the Legal Profession Commons

Recommended Citation
Taking and Returning from a Leave of Absence

Tools and tricks to ease the way

By Margaret (Meg) Butler

Professionals returning from vacation typically face long email lists or mountains of advertisements and other mail. Those returning from a medical, maternity, or other extended absence face those same responsibilities, but with a twist.

When we return to work, we often spend some extra time catching up with colleagues. People have questions—do you want to know how you are feeling, whether the leave was for a new baby or another medical reason. When there’s a new baby, people often ask, “Are you getting any sleep?” These icebreaker questions come first as colleagues gauge how ready you are to catch up with the situations that may have arisen in your absence. Be prepared to quickly address your colleagues’ questions so you can move on to the work-related issues you will need to discuss as you catch up and carry on with your duties.

“The people who had been filling in for me were glad to see me return and resume my duties!” says Laurie Daley, a librarian at Bullivant Houser Bailey PC in Portland. She and her husband adopted a baby in 2011, and she took off three months and worked part time for the fourth month.

Jennifer Murray, law librarian from Phoenix, who has taken several cancer-related leaves of absence, adds, “Clearly communicate with your managers, staff, and co-workers that you are back and what your schedule will be, and then, when you are at work, make it a point to visit them all and demonstrate that you are back and ready for action. People take their cues from how you behave. If you come back to work and assert your presence as you normally would, then your manager, staff, and co-workers will receive the message that it is back to business as usual.”

Some people find it helpful to share photos and videos of new babies with their colleagues in advance of their official return. Daley emailed photos of her new baby to her colleagues. Others elect to visit work for parties—I brought my baby in for our library’s July 4th celebration—or to attend important meetings. Kate Irwin-Smiler, reference librarian at Wake Forest University School of Law in Winston-Salem, North Carolina, notes that she had co-workers visit her and that during her leave she attended a meeting with the dean after her library director retired.

Lillian Goldman Library in New Haven, Connecticut, took another approach during her leave. She says, “Although I kept in touch with all colleagues by sending photos and visiting with the baby, regarding work, I checked in with one colleague. Otherwise, I focused on being a new mom and taking care of my newborn. I was consumed with my new child and role, and I believed that my work could wait. I trusted that colleagues were capable of handling anything that arose—which they were.”

PlanningYou may be able to ease your return to work by planning for your departure. Of course, not everybody is able to plan his or her departure. Billie J. Grey, law librarian from Washington, D.C., used a flexible schedule and leave to take care of her parents at the end of their lives; later, she was diagnosed with cancer of gastric origin, requiring her to be out on leave for more than six months. “Nobody, not even I, had warning or the chance to plan,” she says.

David Hollander, law and legal studies librarian at Princeton University Firestone Library in Princeton, New...
Jersey, took a leave associated with adopting his daughter Jordan. He notes that planning for the leave was quite difficult because he had no idea when he and his husband would be selected by birth parents. They got the call when the birth mother had six weeks left in her pregnancy, giving him six weeks—he thought—to plan his leave. But then the baby came two weeks early! Planning was also more complicated because, “My biggest nightmare was having to tell everyone that an adoption had fallen apart, so I was somewhat secretive until I didn’t need to be anymore.”

When circumstances permit, there are a number of plans to make. First, it’s best to meet with human resources to clarify rights and responsibilities. Your HR representative can help you plan for your time off. Many people combine a mix of donated leave, disability insurance coverage, vacation time, sick time, etc., to allow for time off.

Murray offers this advice: “If your leave is medical, it is imperative that you obtain and learn as much information as possible about all your rights and resources. Short-term disability, long-term disability, the Americans with Disabilities Act (ADA), and the Family Medical Leave Act (FMLA) are all difficult to navigate. You need to be your own advocate regarding these issues or find a trusted person to be that advocate for you if you are not physically able. If you are on leave under the FMLA and it is not intermittent, you may jeopardize your FMLA status by attempting to do work during your leave.”

Your HR representative should be able to clarify what you can and cannot do. The HR representative may also be able to help you plan for your return—he or she may know more about options you have not considered, such as flexible work schedules, telecommuting, or a compressed workweek. Working with HR, you may also identify a planned date of return, though those plans may change.

I had planned to return after six weeks of absence, but I had a difficult delivery, and my doctor recommended that I remain home for two additional weeks. Daley, on the other hand, had initially planned to take a four-month leave. However, according to Daley, “Part way through, my husband and I started to have conversations about whether that was still a good idea with so many departures from work. Wanting to remain physically visible, we decided that I would work half time during the fourth month.”

Fulfilling Responsibilities

Another area in which planning is helpful relates to the fulfillment of job responsibilities. I was advised that, when preparing to tell my boss of my pregnancy, I should have ready a list of the tasks that would need to be completed in my absence and those that could wait until my return. Depending on your job functions, there are a number of ways you can plan for the fulfillment of your job responsibilities in your absence.

Hollander—who was unsure when his leave would be taken due to the uncertainty of adoption scheduling—made a calendar of the year’s events to provide a roadmap for the person taking over for him. Another approach involves identifying core job responsibilities, such as teaching, collection development, reference, supervisory duties, etc., and then identifying who will be responsible for fulfilling those responsibilities. Decisions about who will fulfill duties are typically in the hands of the supervisor of the person taking leave—though this may be more complicated when that person is the library director.

Kim Hersch, library director for Howard & Howard Attorneys PLLC in Royal Oak, Michigan, took a medical leave to repair a torn rotator cuff. She says, “I worked directly with the director of HR on the preparation for my leave. We discussed all of my duties and delegated responsibility, when necessary, to other people.”

When Heidi Frostestad Kuehl, coordinator of educational programming and outreach at Northwestern University School of Law Pritzker Legal Research Center in Chicago, was preparing for a five-month maternity leave, she met with her library director, “and we divided up my work among the reference librarians and our part-time reference associates. This included teaching responsibilities, faculty liaison work, reference work, journal training for six journals, moot court outreach, and coordination of the reference associate program.” She noted as well that the process was “pretty easy” because “we have a very experienced and knowledgeable reference staff.”

Krishnaswami noted similarly that her colleagues’ professional training and outlook made planning to cover her duties much easier.

Although in an academic library, Hollander is the only law librarian for his entire institution, so he and his supervisor were forced to identify—and train—another librarian to fulfill his reference and related responsibilities. He also notes that the two library employees he manages “are so good, there was very little preparation necessary...they didn’t need any direction in my absence.”

Daley notes that when identifying people in her law firm who would be able to take on her responsibilities during her absence, she relied upon co-workers, vendor representatives, and other people in the department, which includes information technology. Hersch suggests that, depending on the leave circumstances, you may be able to use other services to manage your responsibilities. She used mail delivery services with good success: “My snail mail was sent to me daily via UPS. I was able to arrange daily pickups from my home via the UPS website so that important mail could get back to the firm on a timely basis.”

Murray also offers important advice: “I think you have to trust your staff. If you have surrounded yourself with good people, they will rise to the occasion; I promise they will.”

Another strategy is to complete tasks in advance of your leave.

For example, Irwin-Smiler knew that the deadline for updating her institution’s government documents depository profile would occur during her leave. In preparation for her leave, her library reviewed the profile early and made a decision not to make any additional changes.

At a more mundane level, Hollander prepared in advance by deleting email. He wanted to manage his email account so that nobody would get a returned message indicating that his inbox was full.

Frostestad Kuehl took care of several responsibilities in advance. She pre-drafted a syllabus for her spring advanced legal research course before going out on leave in August. She also prepared the
scripts that were used in the first-year research curriculum.

Communication

Before working with your supervisor to ensure your critical job functions are completed in your absence, you have to tell your supervisor. How you raise the situation is a personal decision. Some people prefer to share the reason for the leave by email. Murray notes that telling her manager by email ensured that the manager had an opportunity to process the information before beginning to plan for the leave.

Others elect to tell their supervisors face to face. Krishnaswami advises, "Everyone will be very happy for you, but just remember that while you are very excited [about having a baby], your leave will likely create more work for your colleagues, so have the conversation when you are able to be mindful of that and will not be offended when your supervisor is most concerned about getting your work done."

When adopting, Daley notes that she told her supervisor, but like Hollander, she did not tell many people in advance about her plans. "It was tough to anticipate when I would be leaving, and there were no obvious physical changes in me to prompt questions or comments." Irwin-Smiler, on the other hand, had planned to wait to tell her supervisor until after the end of the first trimester of her pregnancy, but her supervisor noticed her morning sickness and pregnancy-related exhaustion.

Murray notes that when telling those she supervised, she told them face to face. "I felt this was important because I believe others respond to your situation depending on how you respond to it. If they see you in a positive mood and in control, then it is easier for them to relax and not worry about how this is going to impact them." Telling people in a group—at a staff meeting, for example—ensures that rumors do not fly.

Taking a leave of absence requires clear communication, whether your absence is forced upon you during an obstetrician visit or other doctor appointment or you were able to smoothly plan for the absence with known end and return dates.

Grey explains that when she took her cancer-related leave, she had no warning or chance to plan. However, when you have opportunities to plan, there are a number of approaches that are helpful. Krishnaswami wrote memos for her co-workers "to memorialize my progress and recommend next steps" on special projects.

Another option for planning for an absence is putting together a manual. By writing a set of policies and procedures for job tasks, you leave others with a set of clear steps they can follow when handling your responsibilities. For example, in planning for his paternity leave, Jason Eiseman, head of technology services at Yale Law School Lillian Goldman Library, created a procedure laying out the necessary response if the website went down. "It went through everything including waiting a few minutes and trying again to trying on a different computer to finally calling the university IT," he says. "It also guided them in diagnosing who to call and what to say."

Murray says, "Any time I have gone out on leave, I have made every effort to not leave any loose ends. However, when I have had to leave loose ends, I make sure to empower someone within our organization with the information to resolve those loose ends, should it be necessary."

Librarians can use technology to facilitate communication, though this may not always work to our advantage. Before going out on my maternity leave, I drafted weekly emails to prompt my co-workers to update me about the library's activities in my absence. Although I read the email messages, I still found myself surprised by things that had happened in my absence. I somehow missed the message informing me of the problem patrons were having with our chat reference service and was surprised on my return to find out that we had stopped the service while evaluating the situation.

Other librarians have used technology with very good results. For example, Krishnaswami stored files on shared network drives to ensure that her colleagues had the information they needed. Many librarians use auto-response messages, sometimes with complicated rules, to ensure that patrons, colleagues, and others are aware of their absence. Before her leave, Daley got an iPad, "which turned out to be wonderful for staying connected to what was happening at work" during her leave.

Eiseman also used online sites such as workflowy.com and todoist.com to make checklists. He also describes a couple other options people can use to maintain contact with their jobs—have a work laptop, if available, or make sure you can log into your desktop remotely.

As the director of the library, Hersh was in daily contact with the people in the firm by email and telephone. "Since I am the only librarian, I didn't want them to feel any lack of support while I was gone," she says. "I wanted my absence to be seamless. It worked well."

Distractions When You Return

There may be distractions upon returning to work beyond the inquiries people make about the reason for your absence, including your baby, your health, and so forth. You may not be feeling your best.

Many librarians I spoke with recommend a slow return to work rather than coming back on a Monday and working a regular workweek. Other librarians, such as Krishnaswami and Frostestad Kuehl, changed their work schedules upon their return. Krishnaswami became more rigid in her arrival and departure times in order to drop off and pick up her child from daycare. Frostestad Kuehl found that a more flexible schedule with an earlier start to her day allowed her to leave earlier and avoid Chicago rush-hour traffic with her baby.

If you were out for nonmaternity medical leave, you may find yourself distracted by medical bills and ongoing medical appointments. If you were out on a maternity leave, issues related to breastfeeding and childcare, including baby checkups, regularly arise.

Continuing to breastfeed after returning to work may provide another distraction. If you are lucky, you may have a nearby daycare facility that will allow you to come and breastfeed your child during the day. Otherwise, you may elect to use a breast pump. If you choose to breastfeed, it is important to communicate to your colleagues about your availability so they understand that you are still working. Using signs to indicate availability, including expected return (or completion) time, is helpful.

(continued on page 20)
the normal treat (a free pizza lunch) did not get students to attend the presentations. Kolonay found asking students to indicate their availability on a calendar during the first class worked best. The professor could reinforce the importance of the presentation. Additionally, Kolonay could pull aside the few students with school conflicts in order to arrive at an alternate session, providing a relief valve that still allowed students to meet their class requirement. This time around, attendance at the two sessions was near 100 percent.

Mathapo also faced this challenge during her third semester with the CDC, when part-time evening students made up the clinic course. She scheduled two research sessions outside of class for the part-time evening students enrolled in the clinic, one an hour before and the other a half hour before the class started. There were no takers. With the support of the faculty, in-class presentations about research were planned. We have determined that holding the research sessions during a time when the students’ presence is mandatory is always a good idea. At the beginning of each semester, we all made attempts to inform the students of the value in organizing their research activities. We created a guide on how to create a research log, provided students with a sample research log, and incorporated a discussion of the importance of maintaining a record of research results during presentations. When Kolonay met with students working on their seminar papers, she also used a blank research plan and log to help them organize their future research. Mathapo gave a presentation on tracking legal research and created an annotated bibliography guide to reinforce this concept. Although the students were receptive to the idea of noting their research, we found that none of these approaches guaranteed that the students followed through with this important task without being required to do so by the professor.

**Assessment**

As with any new project, it is important to measure the success the program is having against its cost. Primarily, the cost for us has been time. It can take up to 10 hours a week the first semester to prepare for and attend the classes. Even after one semester, the preparation level does not necessarily decrease by much. As the students come and go, so do cases, legislative agendas, and research topics. Therefore, new materials and legal resources may need to be consulted to assist the students. Furthermore, it is not uncommon for the professors to increase the amount of involvement the librarians have as they grow more comfortable with our presence in the class.

However, the program’s successes have outweighed its costs. In our case, we can see success in both quantitative and qualitative terms. In August of 2011, the law school moved to a new building on campus while the law library stayed in the old building. With the additional study space in the new building, the library could easily see fewer students, and librarians could be complete strangers to students. Instead, our embedded librarian program has helped us increase reference interactions and student awareness of who we are and what we do. As Biddings added, “The biggest benefit from actually coming into the library to conduct research is the access to librarians who can direct you to helpful resources. It is possible to spin your wheels for hours searching online. One conversation with a librarian can lead you to print resources that you may not discover during your online research.”

Furthermore, despite the occasional nasty weather, walking to the new building has increased librarian happiness because we continue to feel as though we are part of the law school. Students greet us by name (and vice versa), and both students and faculty stop us in the halls for brief conversations. Faculty also continue to seem pleased with our presence and have typically seen improvement in student work product because of our presence. We are consistently asked to return to our courses, and faculty members have spoken up about the success of the program to other faculty members. In fact, Kolonay’s participation in the seminar came about because the professor had heard of the work the library was doing and thought it would be helpful to his students.

**A Worthwhile Cost**

The Charles N. and Hilda H. M. Mason Law Library’s success with our embedded librarian program has strengthened the library’s ties to the law school while also improving student understanding of legal research. We believe the time spent is worthwhile and look forward to continuing our program and expanding it when and as resources allow.

Britanny Kolonay (bkolonay@sdc.edu) is emerging technologies librarian and Gail Mathapo (gmathapo@sdc.edu) is circulation librarian at the Charles N. and Hilda H. M. Mason Law Library at the University of the District of Columbia David A. Clarke School of Law.

---

**Remember . . .**

One of the most important things to keep in mind when taking leave is to be flexible; don’t try to keep one part of your life balanced at the expense of another. Also, communication is critical; if you don’t have a flexible work schedule (arrival/departure/telecommuting options), start that conversation before you need it. Don’t hurry back, keep your brain active while you are out, and prioritize your backlog, attacking one task at a time. Remember, you are entitled to take your leave—you shouldn’t have to apologize.

Returning to work is a big adjustment regardless of whether your leave was due to becoming a parent, because of a catastrophic illness or accident, or because you are returning from military service. It may be the first time you’ve left your home for more than a couple of hours in weeks or months. Whether you have nine months of notice before your planned leave or no notice in which to prepare, you have the skills as a professional librarian to manage the departure and the return to work effectively. Additionally, your co-workers will offer their support by taking on some of your responsibilities and identifying tasks or projects that can await your return.

Margaret (Meg) Butler (mgbu@gsu.edu) is associate director for public services at Georgia State University College of Law Library in Atlanta.