



New England's Bernstein Shur Updates Parental Leave Policy

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Law360 (May 22, 2018, 7:46 PM EDT) -- New England-based law firm [Bernstein Shur Sawyer & Nelson PA](#) said Tuesday it has implemented a new parental leave policy that allows 16 weeks of paid leave for attorneys regardless of their gender, making no distinction between primary and secondary caregivers.

Under the policy, which went into effect on Monday, employees of the firm are provided equal benefits regardless of if the child is the result of birth, adoption or foster care placement. The firm's board of directors unanimously approved the policy after fielding comments from all associates and interested parties. The policy affords a total of 80 business days any way the individual chooses to use them, as long as they are taken within the first year after becoming a new parent.

"Our old policy had a distinction between primary and secondary caregivers," Joan Fortin, shareholder, director of attorney recruiting and member of the firm's board of directors, told Law360 in an interview Tuesday. "So a birth mother or a primary caregiver got a lot more leave than a father or a 'secondary' caregiver. We surveyed our people and we received resounding feedback that those are outdated terms."

According to a company statement, the policy benefits are immediately available to all employees of the firm and are not limited to lawyers. In addition to the paid leave, employees have the ability to take up to an additional 12 weeks of unpaid leave.

"In modern families, both parents are trying to be equally involved in the care of children and it creates an artificial distinction to give one parent more policy benefits than the other. We don't want to feed into those age-old, gender role stereotypes so we just got rid of the distinction," Fortin said.

The decision by Bernstein Shur is the latest in a trend that has developed in the legal industry, where firms are offering additional perks to retain and lure top talent.

In May, [Schiff Hardin LLP](#) implemented a [new benefits plan](#) for employees that helps them transition into parental leave and return to work by reducing the hours requirement by 20 percent for one month before childbirth and one month after returning to work.

In December, [Skadden Arps Slate Meagher & Flom LLP](#) said it would [expand its parental leave policy](#), offering new mothers and fathers up to 12 weeks of paid leave following a birth or adoption.

[Fish & Richardson PC](#) announced in October that it would offer [primary caregivers](#) 18 weeks of paid leave, up from 16, and launched a new phased hours program that allows parents to opt for a reduced schedule.

In September, the London office of [Morrison & Foerster LLP](#) announced it had [expanded its maternity leave policy](#) to include 26 weeks of full pay, with statutory maternity pay for the 13 weeks following the initial period of full pay.

The London office of [Cleary Gottlieb Steen & Hamilton LLP](#) in June [revamped its policy](#) to include 30 weeks of full pay during maternity leave, up from 20.

And in April 2017, Ohio-based [Taft Stettinius & Hollister LLP](#) announced it would offer [16 weeks off](#) for new parents regardless of primary or secondary caregiver status.

Working Mother Media [released a survey](#) in July, revealing that lawyers' participation in benefits for new parents, including flexible work arrangements and increased paid leave, remains relatively low.

--Additional reporting by Sam Reisman, Kat Greene, Michele Gorman, Aebra Coe and Matthew Guarnaccia. Editing by Breda Lund.