

Overview for Sponsors

Support for pregnant and parenting athletes is fast becoming a business imperative. Elite athletes have shared publicly the discrimination they faced once they became pregnant, and some brands that failed to stand by their pregnant ambassadors have been called to account. Increasingly, athletes are no longer choosing between their sport and family but rather are *combining* sport and family – and that presents opportunities for sponsors.

The Model Sponsorship Contract Provisions for Pregnancy and Parental Leave make it easy for sponsors to affirm their support for pregnant and parenting athletes. The Model Provisions say that sponsors will not terminate athletes or reduce their compensation for becoming pregnant or taking time off from training and competition due to pregnancy, recovery from childbirth, or parental leave. In return, pregnant and parenting athletes will continue to engage in promotional activities on behalf of sponsors to the extent they are able to. The Model Provisions recognize the value an athlete brings to a sponsor even if not competing. For some brands, this value may include opening up avenues to new audiences and new ways to incorporate products into family life.

The Model Provisions should be modified to meet the needs of sponsors and athletes and include, at a minimum, the following essential elements of support: 1) a promise that the contract will not be terminated and compensation will not be reduced as a result of pregnancy, postpartum recovery, or parental leave; 2) a waiver of competition and in-person appearance requirements during pregnancy and postpartum recovery, as needed; 3) a guarantee that no services will be required under the contract in the weeks before the athlete's due date and the 12 weeks following birth; 4) a commitment to provide reasonable accommodations to a pregnant or postpartum athlete to facilitate participation in promotional activities; and 5) a guarantee of parental leave for non-birth parents. Additional ideas for supporting and accommodating athletes who are growing their families can be found [here](#).

Here are some examples of how the Model Provisions work:

- Some athletes continue to compete in the early stages of pregnancy and some do not, but most will continue to promote their sponsors' brands. When they stop competing, they most likely still will be able to engage in promotional activities such as interviews, photo shoots, writing articles, and posting to social media. In recognition of this, the Model Provisions state that contracts will not be terminated due to pregnancy and compensation will not be reduced, and the athletes will participate in promotional activities to the extent they are able to. Sponsors are encouraged to accommodate athletes' needs to ensure they are able to continue their promotional activities. (See [Best Practices for Supporting and Accommodating Pregnant and Parenting Athletes](#) for accommodation ideas.)
- Most athletes will want to continue to compete in their sport after becoming pregnant, but not all will. The model contract provisions state that an athlete who becomes pregnant can choose

whether to continue to provide promotional services pursuant to the contract. If they do not wish to, they should be released with no penalty other than the cessation of payments.

- Athletes who give birth will need some time away from all activities, including promotional activities, to focus on their delivery and recovery. The Model Provisions state that athletes can take off four weeks before their due date and up to twelve weeks after they give birth. After that time, they can be expected to resume promotional activities while they continue to recover.
- Most athletes who give birth will need months to recover to the point that they are able to train and compete at elite levels. Every athlete's body is different, but generally speaking, during these postpartum months, athlete's bodies are experiencing hormone changes, their joints can remain hypermobile, their ligaments can stay lax, they can be vulnerable to stress fractures, their pelvic floors must return to pre-pregnancy condition, breastfeeding requires a lot of their energy, and their sleep is short and disrupted. If they attempt to train too hard too soon, it is likely that they will not perform at optimal levels and may be injured and forced out of action for an even longer period of time. The Model Provisions recognize this by waiving competition performance obligations for up to twelve months after athletes give birth. Some athletes may need a longer time to return to peak form.
- By participating in promotional activities (to the extent that the athlete is to, except for the four weeks before their due date and twelve weeks after birth), athletes can continue engagement with fans when they are not competing. Sponsors that accommodate the athletes' pregnancy or postpartum needs can facilitate their greater participation. Accommodations can take many forms, such as limiting appearances to locations that are local to the athlete, ensuring that the athlete has a place to express breast milk at appearances or competitions, and extending the length of the waiver of competition obligations to enable the athlete's full recovery. More ideas for accommodations and best practices can be found [here](#).
- Families come in a variety of forms. The model contract provisions recognize this and provide for parental leave to assist athletes who adopt or become parents in other ways. New parents need support and time away from obligations to help them adjust to family life, and time invested at the outset can lead to smoother performance in the future.