

# Negotiating Pay and Flexible Work Schedules

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# Why am I giving this presentation?

- I spent a decade in corporate compliance environment where 47-60 hour work weeks were the norm.
- After having children, I had to first negotiate a flexible/reduced schedule, and three years later, had to negotiate a significant pay raise.
- No one teaches you how to do this in law school. I had to navigate this largely on my own, and I bet a lot of you do too.

# Why good flex policies are important:

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1. Creating a better work environment for caretakers makes a better work environment for everyone.
2. The traditional 50-60 hour (or more!) work track is not really built for caretakers. It's built for a traditional environment that assumes someone else in the household is primarily responsible for caring for children or elders.
3. Often, women end up being the caretakers and have to step out of our corporate roles to accommodate responsibilities at home, i.e., being “mommy-tracked.” But make no mistake—this is an issue that affects both men **and** women. Good family friendly policies are gender-neutral.

# The legal community is changing to better accommodate caretakers.

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**Michelle Browning Coughlin Argues for Parental Leave Continuances before the Florida Supreme Court August 2019**

[https://www.wyattfirm.com/uploads/1650/video/Michelle\\_Coughlin\\_-\\_Florida\\_Sepreme\\_Court.mp4](https://www.wyattfirm.com/uploads/1650/video/Michelle_Coughlin_-_Florida_Sepreme_Court.mp4)

**More than Half of Firms Provide Flexible Work Arrangements:**

<http://www.abajournal.com/news/article/half-of-firms-offer-flexible-work-arrangements-says-new-report>

# STEP ONE: Know your value.

It's crucial for you to know and understand how much your work is worth. You need data.

- Are you being paid competitively? What are market norms?
- How much are you billing per hour?
- What's the profit margin on your work?
- NOT just defined by money. What's your value to organization as a whole?

DETERMINING VALUE IS MORE OF AN ART THAN A SCIENCE.

# How do you determine your value?

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## Research, research, research!

- Glassdoor, Payscale, and other websites that collect data
- Sleuthing industry specific materials (in-house corporate environment)
- Robert Half Legal Guide: <https://www.roberthalf.com/salary-guide/legal>
- Non-legal resources, such as Ask A Manager <https://www.askamanager.org/2018/02/the-ask-a-manager-guide-to-asking-for-a-raise.html>
- **Perhaps your best resource:** Have frank conversations with trusted mentors and colleagues who are similarly situated (perhaps not coworkers if you are concerned about confidentiality issues).

# STEP TWO: Set the Stage

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Maximizing your value prior to the negotiation process is key.

-  Make yourself indispensable.
-  Seek out your champions.
-  Communicate value to stakeholders.

Make yourself  
indispensable.

**Long term strategy:** This takes time you may or may not have, especially if you are new to an organization.

**Goal is to gain negotiating power:** are you easy to replace? If not, you have greater negotiating capital.

- **Find a niche:** Find something to really own within your organization. Be proactive and become that go-to person. Get creative, and really evaluate your department or organization's strengths/weaknesses.
  - *EXAMPLE:* You become an encyclopedic expert on one conflicting or new area of law that no one has time to touch.
  - *EXAMPLE:* You see your department/firm is struggling in some key area, and you go volunteer to spearhead it.

# Show investment in the organization.

- Every firm and organization has something that is very important to the partners/directors/managers and is part of the firm's culture. Get involved and embrace it.
- Be willing to bend on things when and where you can. Can you cover for others? Can you jump in when someone else needs it? If you need flexibility, you need to be flexible.

Show your commitment. Managers, directors, and partners are more willing to bend for dedicated employees than for those that have one foot out the door.

**CAVEAT: KNOW WHEN TO SAY NO, AND KNOW WHEN TO DELEGATE.**

# Seek out your champions!

No one is on an island—you shouldn't do this alone.

Find managers, directors, partners, mentors, and senior attorneys within your organization who will vouch for you and your work.

Develop those positive relationships over time, and seek input from your mentors on the work culture. Their experience and their advice is invaluable.

# Communicate your value to stakeholders.

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**You are your biggest cheerleader.** We're socialized from a young age to not boast about our accomplishments, which means we're not always great at patting ourselves on the back. The result? We accomplish something big and move on to the next goal without celebrating the win.

Keep a list of your big and little wins. Make sure you're listing those accomplishments on your self-evaluations (if you're forced to do those) and communicating those wins to your management, especially during performance reviews.

It's a fine line here, but in a way that feels best within your process and organization, make sure your stakeholders know when you go above and beyond.

**NEVER SAY THIS PHRASE:** "Oh, it was nothing."

# STEP THREE: Make Your Ask

Before you do anything, be very clear on what you want. Do you want a flexible schedule? A reduction in hours or part-time schedule? A 10% increase in pay?

**You have to be specific.**

- **What's negotiable?** For example, if you're asking for a pay raise, figure out your target range. Ask for the high number, keep the lower number in your back pocket when you're negotiating.
- **What's not negotiable?** Know what happens if you get a "no." Make sure your bottom line is well known, both on and off the record. Be ready to follow through.

# Map out your strategy.

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Know your company's culture and structure, and the best way to make the ask.

- Is there a process? Follow that process!
- No process in place? Don't let that deter you! Should you go to a manager/partner first? Go straight to HR? Get clarity on who makes the decision and how you should go through the process, if you're going off the beaten path.
- Strongly consider getting feedback from your champions (privately and off the record) before you make the ask on the best way to do it. Sometimes they can work behind the scenes on your behalf or help support your argument behind closed doors.
- Don't be discouraged if you get negative feedback. The more information you have going into a negotiation, the better.

# Making the Ask:

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1. Put it in writing.



2. Be specific.



3. Address concerns and propose solutions.

# Anatomy of an Ask:

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## Value

Big Accomplishments You Are Proud Of, Keep it Brief



## Make the Ask

SPECIFIC  
NARROWLY TAILORED  
CONFIDENT



## Justification

Focus on how this benefits the company  
Keep it professional, not personal.

# Flex vs. Part-Time work:

**Do you need a flex schedule? Or do you need a reduced workload?**

- Telecommuting and work-from-home arrangements benefit those who can put in time, but can't do it in the office.
- **Part-time work considerations:**
  - *Reduction in benefits?* Is there an hours threshold to retain benefits?
  - *Percentage reduction in pay*—BE CAREFUL, because it can set you up for pay disparity if you ever return to full-time work.
    - *CONSIDER NEGOTIATING A MODEST RAISE WHEN YOU RETURN TO FULL-TIME WORK*

# Example: The only difference is a 20% reduced schedule for 3 years.

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## CANDACE

Full time employee, no promotion, no change in position, 5% raise per year

2015: \$100,000

2016: \$105,000

2017: \$110,250

2018: \$115,762

2019: \$121,550

2025: \$162,886

## JOY

Full to reduced schedule in 2016 (20% reduction) receives 5% raise per year, returns to full time work in 2019 (20% increase), and 5% raise per year

2015: \$100,000

2016: \$84,000

2017: \$88,200

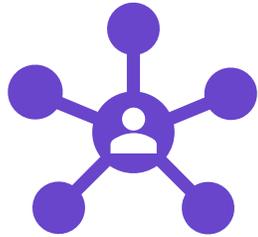
2018: \$92,610

2019: \$116,689

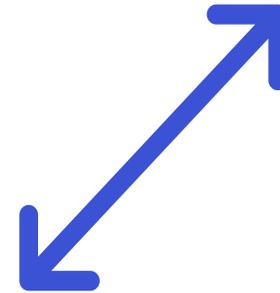
2025: \$156,372

# In closing...

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**If you negotiate a flex or part time schedule, even though it's difficult, especially with expanded caretaker role, stay connected to your peers.**



**If you are able to successfully navigate your career through these changes, be a mentor and lift others up.**

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