



COMMUNITY HEALTH COALITION

*Improving the Health of Durham
& NC Communities since 1989*



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"Every time a woman leaves the workforce because she can't find or afford childcare, or she can't work out a flexible arrangement with her boss, or she has no paid maternity leave, her family's income falls down a notch. Simultaneously, national productivity numbers decline."
- Madeleine M. Kunin

Know Your Rights! Rights, Benefits and Disparities at Work During Pregnancy & Postpartum

- Over 1 in 5 pregnant workers are employed in low-wage jobs.
- Nearly 1 in 3 employed pregnant Black and Latinas work in low-wage jobs.
- Employment was identified as a key barrier to high-risk OB during a recently conducted qualitative study.
- U.S. is the only developed country without a national paid maternity or paternity leave program.
- **The Federal law** prohibits pregnancy-related discrimination including:
 - 1) Hiring
 - 2) Right to accommodations if they are provided to others
 - 3) Coercing a pregnant woman to take leave if she is capable of doing her job
 - 4) Retaliation for speaking up about discrimination

This **only** applies to companies with 15 or more employees and women must file a claim with the Equal Employment Opportunity Commission within 180 days (roughly 6 months).



The Americans with Disabilities Act requires employers to provide reasonable accommodations for pregnancy-related impairments (physical and mental)...

- 1) As long as these accommodations do not cause undue hardship (too difficult or expensive) to the employer
- 2) The employee is qualified for the position and must be able to perform essential (basic) job functions with or without reasonable accommodation(s).
- 3) Medical certification note to the employer outlining work restrictions and potential accommodations is needed from a physician.

The employee must ask for the accommodation.

•Examples of Conditions that qualify:

- Cervical insufficiency
- Sciatica
- Preeclampsia
- Gestational diabetes
- Postpartum Depression

•Examples of Accommodations:

- Additional rest breaks
- A stool or chair for sitting
- Avoiding dangerous activities like climbing a ladder
- Flexible hours for appointments
- Teleworking

Employers must accommodate pregnant workers with disabilities if they accommodate non-pregnant workers who are similarly limited in their ability to work.

The Family Medical Leave Act (FMLA)

- 1) Provides 12 weeks in 12-month period of unpaid, job-protected leave and continued health benefits.
- 2)Can take intermittently.
- 3)Can be used for:

- Prenatal appointments
- Serious medical conditions
- Birth, care of newborn
- Adoption
- Foster care
- Care for an ill family member

For More Information on Protections by State for Pregnancy Accommodations:

- babygate.abetterbalance.org
- nwlc.org/resources/pregnancy-accommodations-states

For more information about health prevention tips, please visit communityhealthcoalition.com, call (919)470-8680 and/or email contact@communityhealthcoalition.com

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