



NATIONAL ADVOCATES FOR PREGNANT WOMEN'S

GUIDE TO
PREGNANCY DISCRIMINATION
IN EMPLOYMENT



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About This Guide

National Advocates for Pregnant Women (NAPW) has compiled the following information for your convenience. This Guide is not comprehensive. Our goals are to highlight several key legal areas relating to pregnancy discrimination in employment, acknowledge that many women may not be protected by existing laws, let you know where to go to learn more, and suggest ways that you can take action to protect and expand your rights. This Guide covers the following federal laws related to pregnancy discrimination: The Pregnancy Discrimination Act of 1978 (PDA) and The Americans with Disabilities Act (ADA) along with information about how to file a complaint with the Equal Employment Opportunity Commission. This Guide also includes information about the Federal Occupational Safety and Health Act and The Family and Medical Leave Act as well as a discussion of contraceptive equity and resources for people experiencing discrimination after their children are born. In addition, we offer a summary of your rights, some strategies about how to pursue your rights, contact information for sister organizations that specialize in workplace discrimination issues, and groups that are organizing to demand better protection for the millions of pregnant and parenting women whose rights are not protected under existing laws.

About National Advocates for Pregnant Women

National Advocates for Pregnant Women (NAPW) seeks to protect the rights and human dignity of all women, particularly pregnant and parenting women and those who are most vulnerable including low income women, women of color, and drug-using women. NAPW uses the lessons learned from the experiences of these women to find more effective ways to advance reproductive and human rights for all women and families. Our work encompasses legal advocacy; local and national organizing; public policy development, and public education.

PLEASE NOTE: NAPW provides general information related to legal issues commonly encountered in order to help people understand their rights. Legal information is not the same as legal advice. Legal advice depends on the specific circumstances of each situation. Also, laws vary from state to state, so your jurisdiction may have laws and guidelines that are not covered in this guide. Please consult a lawyer if you want professional assurance that our information, and your interpretation of it, is appropriate to your particular situation. The information contained here cannot replace the advice of competent legal counsel licensed in your state.

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Overview

While books like *What to Expect When You're Expecting* aim to prepare women for the physiological and emotional aspects of pregnancy, there are many things that we wish you did not have to expect when you are expecting. Among these is the likelihood of discrimination in the workplace.

Many women are unfairly treated on the job or while looking for work because they are pregnant or because an employer thinks they are likely to become pregnant. For much of American history, employers have been allowed to discriminate against women. Often this discrimination was justified by the fact that women can become pregnant.

As a result of years of organizing and activism, courts now view many forms of discrimination against women as illegal and new laws have been passed to prohibit employment discrimination against pregnant women. For example, it is illegal for employers who have more than 15 employees to discriminate against women because of pregnancy, childbirth, or conditions related to pregnancy or childbirth. Although there are now a variety of laws that prohibit discrimination against women, many millions of women, including those who work in part-time positions or are employed by small companies, may still be without protection of any kind.

Unlike many other countries, the United States does very little to protect pregnant women and families. For example, America is one of only two industrialized nations in the world that does not require any *paid* maternity or paternity leave. The United States is also one of the few industrialized nations that does not provide child or family allowances -- cash benefits given to families with children.¹ Moreover, the United States remains the only western industrialized country not to have a national system of health insurance.² The United States does not guarantee health coverage for caregivers and their young children.

Two excellent books on the subjects of motherhood, work and family are:

Joan Williams, *Unbending Gender: Why Family and Work Conflict and What to Do about It*.

Ann Crittenden, *The Price of Motherhood: Why the Most Important Job in the World Is Still the Least Valued*.

This guide will give you an idea of how far the law goes, and how much organizing still needs to be done to ensure that no woman is discriminated against in the work place because of pregnancy, parenting or the ability to become pregnant. Even when the law does not protect you, there may still be things you can do. The following sections of this Guide will give you a sense of how the law protects pregnancy-related conditions in the employment context.

The Pregnancy Discrimination Act

The Pregnancy Discrimination Act of 1978 (PDA) is an amendment to Title VII. It was passed in response to the U.S. Supreme Court holdings that pregnancy discrimination does not violate the Constitution or other federal law. The PDA protects your right to work during pregnancy. It prohibits pregnancy discrimination by employers with 15 or more employees and provides that women affected by pregnancy, childbirth, or related medical conditions must be treated in the same manner as other applicants or employees with similar abilities or limitations. According to the Equal Employment Opportunity Commission (EEOC):

- An employer cannot refuse to hire you because of your pregnancy-related condition as long as you are able to perform the major functions of the job.
- You cannot be fired, demoted, or denied a promotion because you are or may become pregnant.
- Your employer may not single out pregnancy-related conditions for special procedures to determine your ability to work but may use any procedure used to screen other employees' ability to work.
- Your employer cannot force you to stop working and take pregnancy leave at any time during your pregnancy if you are still willing and able to perform your job.
- If you are temporarily unable to perform the functions of your job due to your pregnancy-related condition, your employer must treat you in the same manner as any other temporarily disabled employee, by providing modified tasks, alternative assignments, disability leave, or leave without pay.

- Your employer must give you the same level of rights, benefits, and reinstatement privileges given to other workers who are temporarily disabled.
- If an employer's health plan includes spousal coverage, the employer cannot deny coverage for the pregnancy care of a male employees' spouse.
- Pregnancy-related benefits cannot be limited to married employees.
- Employer-provided health insurance must cover pregnancy-related conditions on the same basis as costs for other conditions.³

You have the right to be free from pregnancy discrimination on the job or when looking for work, and the PDA mandates that employers must treat pregnancy the same way they treat temporary illnesses or other medical conditions. This applies to both official and unofficial company policies. For example, if the official company policy does not allow workers to take disability leave, but the company has bent the rules to allow a male employee to take paid leave, the company must bend the rules to allow a pregnant employee to take paid leave as well.

The PDA also prohibits your employer from interfering in your personal reproductive health care decisions regarding birth control, sterilization, and abortion. For example, it is illegal to force you to end a pregnancy in order to keep your job, and your employer cannot fire you if you have had or are considering having an abortion.

While the PDA was a step in the right direction, there are unfortunately many important protections that the law still does not provide.

- The PDA does not require employers to provide disability leave or medical coverage for pregnant employees.
- The PDA does not apply to employers of fewer than 15 people, or to women who work part-time.
- The Federal Government, private clubs, and religious organizations are exempt from the PDA.

It is estimated that more than one third of working women are not covered by the PDA. If you are one of these women, please note that state and local laws regarding pregnancy discrimination or your union contract may protect you. For example, both New York State and New York City have their own pregnancy nondiscrimination laws. Please consult a lawyer in your area for more information.

Americans with Disabilities Act

In certain circumstances, the Americans with Disabilities Act (ADA) may offer some protection to a woman who is experiencing a medically complicated pregnancy. If your pregnancy is complicated and you qualify as "disabled" under the ADA, you are entitled to be reasonably accommodated by your employer so that you can perform the essential functions of your job. The ADA defines disability as a physical disability that substantially limits one or more major life activities, a record of such an impairment, or a situation where an employee is regarded as having such an impairment. Be aware that these cases are decided on a case-by-case basis. Moreover, courts in different federal districts have decided differently the issue of whether complications arising from pregnancy are disabilities under the ADA.⁴ For example, a New Hampshire federal court decided that complications arising from ovarian cysts during pregnancy were not "physical impairments" under the ADA.⁵ In contrast, a New York federal court has decided that "spotting, leaking, cramping, dizziness, and nausea" caused by pregnancy may be considered physical impairments or perceived impairments for purposes of the ADA.⁶ Courts consider the businesses resources and the nature of the work as well as the employee's disability in deciding what accommodation is reasonable. For example, home or telework may be a reasonable accommodation for a worker on bed rest.

This is a complex subject and, as with other issues discussed in this guide, you should seek help from legal counsel with expertise in these matters.

To learn some basic facts about the ADA, please visit the Equal Employment Opportunity Commission (EEOC) at www.eeoc.gov/facts/fs-ada.html.

Filing an Equal Employment Opportunity Commission Complaint

The EEOC is the federal government agency in charge of handling complaints of workplace discrimination. If you feel that you have been discriminated against on the basis of your pregnancy, you can contact the EEOC. The agency will have you file a charge (a written document) against your employer describing the pregnancy discrimination that you believe violates the Title VII employment nondiscrimination laws.

The EEOC has established time frames for the periods during which it will help people, so contact the agency promptly when discrimination is suspected. You only have 180 days (approximately 6 months) after the discrimination happened to file a complaint with the EEOC. However, many states and local areas have their own version of Title VII and their own version of the EEOC (these EEOC-like state agencies are called FEPAs, or Fair Employment Practices Agencies). The EEOC works with these state and local agencies. If you live in a state or locality where there is a sex nondiscrimination law and an agency authorized to grant or seek relief, you must present a charge to that state or local agency. You may then file charges with the EEOC within 300 days of the discriminatory act, or 30 days after receiving notice that the state or local agency has terminated its processing of the charge, whichever is earlier. Charges may be filed in person, by mail, or by telephone by contacting the nearest EEOC office. Call 1-800-669-4000 or 1-800-669-6820 (TDD) or visit www.eeoc.gov for more information. If you need special assistance, such as an interpreter, to file a charge, please call or write the EEOC beforehand to avoid delay.

You will find the answers to many commonly asked questions and details for the EEOCs charge processing procedures at www.eeoc.gov/facts/qanda.html, and you can locate the EEOC field office nearest you at www.eeoc.gov/offices.html.

Family and Medical Leave Act

The only industrialized countries without paid maternity leave are the United States and Australia. While Australia provides 52 weeks of unpaid leave, the United States provides for only 12 weeks. The federal law governing maternity leave is the Family and Medical Leave Act (FMLA). It gives you the right to take up to 12 weeks of job-protected, unpaid leave during any 12-month period for the following reasons:

- Birth and care of your child;
- Placement of a child for adoption or foster care;
- Care of an immediate family member (spouse, child, or parent) with a serious health condition;
- Or care of your own serious health condition, including a medically complicated pregnancy.

Under the FMLA, your employer must allow you to return to the same or an equivalent position, with the same pay, benefits, working conditions, and seniority that you had before you took your leave. If you have health insurance through your employer, your employer must continue to pay your premiums while you are on leave. Although your leave is unpaid, you may be allowed to use any accrued sick leave or annual leave during your 12 weeks of family leave in accordance with company policy.

The FMLA does not cover all employees or all situations; approximately 50% of workers are not covered by the law.

Who is covered:

- Only those employers with 50 or more employees who work within a 75 mile radius of one another are obligated to comply with the FMLA.
- You must have worked for your employer for one year and at least 1,250 hours within a year before you can receive FMLA protection.
- Employees cannot use the FMLA to care for extended family members, spousal "in-law" relatives, or a son or daughter who is age 18 or over (unless the son or daughter is "incapable of self-care" because of mental or physical disability).
- Like the PDA, the FMLA does not require your employer to provide you with health care benefits if not otherwise provided by the employer for unpaid leave. Because the FMLA only provides for unpaid leave, it only benefits individuals who can afford to take unpaid time off from work.

In addition, there are circumstances in which your employer does not have to grant you FMLA leave or reinstatement to your job:

- If you would have been laid off if you had continued to work during your leave period, your employer does not have to continue your FMLA benefits or reinstate you.
- If you are in the highest paid ten percent of employees at your company, your employer does not have to allow you to take FMLA if doing so would cause the company serious economic damage.
- If you cannot return to work at the end of your leave, but you have exhausted your 12 weeks of leave within the 12 month period, you no longer have FMLA protection.
- If you tell your employer that you do not intend to return to work after your leave, you will lose FMLA protection.

Unless you develop an unanticipated medical condition that requires immediate leave, you must give 30 days advance notice if you know that you will be taking leave; if you do not give notice, your employer can delay the start of your leave. Also, employers can require a medical certificate of fitness for duty to return to work, and may deny or delay reinstatement of an employee who fails to provide such certification.

State law, union contracts, and individual employers may provide for family or medical leave for employees that are not covered by the federal law. Such laws or policies may grant higher levels of benefits and longer periods of leave than the FMLA. Visit <http://www.dol.gov/esa/programs/whd/state/fmla/index.htm> for a comparison of state and federal laws concerning family and medical leave.

If your employer refuses to give you family leave or to let you return to your job, you can file a complaint with the Wage and Hour Division of the Department of Labor. For more information, contact the U.S. Department of Labor at 1-866-487-9243 or visit www.dol.gov/esa/whd/fmla/.

A list of district DOL offices is available at <http://www.dol.gov/esa/contacts/whd/america2.htm>.

For more information about the FMLA, visit the Department of Labors Frequently Asked Questions (FAQ) at <http://www.dol.gov/elaws/esa/fmla/faq.asp>.

The Occupational Safety and Health Act

Workplace Health Hazards

The Occupational Safety and Health Act (OSHA) requires an employer to maintain a safe and healthful workplace. If necessary, certain changes may be made at the workplace to allow you to continue your employment safely during your pregnancy.

Most women can safely continue working throughout pregnancy, but some women have an increased risk for complications during pregnancy due to the nature of their jobs. Strenuous activity, heavy labor, or exposure to excessive heat, hazardous chemicals, gas, dust, fumes, radiation, or infectious diseases are examples of some working conditions that may be hazardous in pregnancy. While you may fear that you are exposing yourself and your fetus to unnecessary harm, you might not be able to afford to leave your job and any health care benefits that it provides.

Talk to your health care provider about the work you do. Discuss what you can and cannot safely do on your job and the signs and symptoms of any potential risks or dangers you may face. If your only health care provider is a company doctor who may have an interest in advising you to work despite the risks, check to see whether there is a medical clinic in your neighborhood that can provide you with a second opinion for free or at a reduced cost.

If you wish to continue working during your pregnancy, your employer cannot prevent you from doing so. Some companies have adopted so-called "fetal protection policies" which prohibit female employees of childbearing age from doing a job that exposes them to toxic substances at levels considered unsafe for the fetus. The United States Supreme Court has held that such policies violate the Pregnancy Discrimination Act (PDA), but companies may nevertheless still have them. Please let NAPW know if your company has such policies.

To learn more about OSHA, contact the Occupational Safety and Health Administration of the U.S. Department of Labor: 1-800-321-OSHA or www.osha.gov.

Other Pregnancy Related Issues

Contraceptive Equity

Coverage for contraception and other family planning services remains unregulated at the federal level. Therefore, although over 97 percent of large group insurance plans provide some form of prescription-drug coverage, only one-third cover oral contraceptives. As few as 15 percent of these plans cover all of the five most common forms of contraception: the Pill, diaphragms, Norplant, Depo Provera, and intra-uterine devices (IUDs). Largely because of these inequities, women of reproductive age pay 68 percent more in out-of-pocket medical costs than their male counterparts.

In June 2001, a federal district court in Washington State ruled that a private employer's health plan that uniquely excludes contraceptive coverage but covers other prescription drugs and services constitutes sex discrimination in violation of Title VII of the Civil Rights Act of 1964. Therefore, if your employer provides prescription drug plan that fails to include contraceptives, you may have basis for a complaint.

In addition, twenty-one states have passed contraceptive equity laws or regulations requiring private health plans to cover prescription drugs and other contraceptive services. In general these laws and regulations provide that a health insurance policy including a prescription drug plan must also cover any prescription drug or device approved by the U.S. Food and Drug Administration (US-FDA) for use as a contraceptive. Most also provide that a plan must cover outpatient contraceptive services if it covers other outpatient health services. Over three-quarters of the 21 states with laws or regulations, however, have also enacted religious refusal clauses. The clause exempts religious employers or insurers (or individuals enrolled in the plan) from the contraceptive equity mandate, if their religious practices prohibit the use of contraceptives. Finally, since 1998, Congress has required health plans participating in the Federal Employees Health Benefits (FHEB) program to cover FDA-approved prescription contraceptives.

One should also note that while two-thirds of insurance plans cover abortion and related expenses, the Pregnancy Discrimination Act explicitly states that an employer is not required to provide health plan that provides coverage for these services.

After The Baby Is Born

Many parents face difficulties when returning to work after the birth of a child. Caregivers are often devalued in the workplace, and employers' policies are often built around the traditional "norm" of the male worker whose wife stays at home to take care of the children. The reality is clearly different for the millions of single parents and families in which both parents work. Workplace options such as flexible scheduling, job sharing, and onsite childcare would make it easier for people to combine parenting and work. Unfortunately, these options are neither commonplace nor guaranteed, and the workers who are more likely to need them, including women and low-wage workers, are the least likely to receive them.⁷

Unfortunately, the PDA no longer protects you after your child is born. Many new mothers face workplace discrimination if they choose to continue breastfeeding their children after returning to work. A bill has been introduced in the House of Representatives to amend the PDA to prohibit such discrimination, and seven states currently have laws requiring employers to accommodate breastfeeding mothers by providing them with breaks and a private room in which to breastfeed or express milk. For a list of state laws relating to breastfeeding, visit <http://www.breastfeeding.org/law/CRS2.pdf>. For suggestions about what you can do to encourage your employer to enact policies that accommodate breastfeeding mothers, visit <http://www.lalecheleague.org/Law/LawEmployment.html>.

Getting Hired: Illegal Interview Questions

An interview provides an opportunity for an employer to ask general or job-related questions that elicit information about an applicant's ability and motivation to do the job. All too often, employers ask women applicants interview questions that are not related to the duties of the positions for which they are applying. Such questions may be inappropriate or insensitive, and they could also be illegal.

Employers are not permitted to request information that might be used to discriminate against women. Such information includes:

- Current pregnancy status, future childbearing plans, or ability to reproduce
- Marital status or marital plans

- Arrangements for child care
- Number or ages of children and dependents
- Birth control or family planning techniques

If faced with an illegal question, you can respond in a number of ways. If you are comfortable doing so, you can answer the question and quickly move on to a new topic. You can ask for clarification on the questions relevance to the position, or refuse to answer the question and redirect the discussion. You can also choose to answer the intent of the question by addressing the employer's underlying concern rather than the specific question asked. For example, the question "Do you have any children?" may evidence the employer's concern that you will be likely to miss work to care for a child. You could respond, "If you mean am I able to meet the demands of the job, yes I am," instead of answering the question directly.⁸

Career-oriented websites have valuable information about illegal questions and how to handle them. To learn more, do an Internet search for "illegal interview questions" and visit the websites that specialize in providing resources for job applicants.

Protect and Assert the Rights You Do Have

If you believe that you are a victim of pregnancy discrimination, here are some additional things that you can do:

- Inform yourself about your company's policy for employees who have temporary disabilities, similar to pregnancy, or who become ill for a longer period of time. Check your employee handbook for procedures.
- Keep doing a good job and maintain a record of your work. Place copies of your job evaluations, letters, memos, and any other proof of your strong job performance in safe keeping at home so that they are accessible if your employer criticizes your job performance later on in order to defend his or her discrimination.
- Document each instance of pregnancy discrimination as soon after the incident as you can. In as much detail as possible, write down a description of the situation, when and where it happened, what was said, who said it, and who else was there. Keep a copy of these notes at home they will be useful if you decide to file a complaint or to take legal action. You could also find out whether it is possible to record incidents of discrimination through video or audio devices in order to have additional evidence.
- Discuss the problem with your supervisor, your personnel or human resources department, or your company's equal employment officer.
- Discreetly talk to coworkers to find out how other pregnant employees have been treated. Unite with other victims of pregnancy discrimination at your workplace to encourage one another and collectively resolve the problem.
- File a formal complaint through your employer or, if a union represents you, file a complaint through the union's grievance process.
- File a complaint with the EEOC or, when appropriate, a lawsuit in court.
- Write a sincere letter to your legislator as a constituent who is deeply disturbed by the pregnancy-related employment discrimination she has faced, and ask for your legislator's assistance.
- Support legislation that will advance equality and opportunity for underrepresented individuals and groups, particularly pregnant and parenting women.
- Raise awareness. Become an activist. Start a support group for women who have faced pregnancy discrimination in your local area. Begin a grassroots letter-writing campaign to newspapers and elected officials to advocate for equality for pregnant women. Read the books mentioned at the beginning of this Guide. Visit the websites of the organizations listed below and learn what action you can take to ensure that you and your family have the support they need.

Consult a lawyer to learn more about the above and other legal options. If you feel that you are unable to afford a lawyer, contact a Legal Aid office to find out whether you are eligible for legal services at little or no cost to you. Even if the Legal Aid office is unable to represent you, it may be able to refer you to other resources in your area. Some of the following resources may also be able to link you to lawyers who can represent you at little or no cost to you.

Additional Resources

- **Equal Rights Advocates (ERA)** operates a confidential, multilingual Advice and Counseling Line to provide advice and information about your legal rights concerning pregnancy discrimination and maternity leave. To find out more, visit www.equalrights.org/personal/need_advice.asp, or call 1-800-839-4ERA.
- **National Partnership for Women and Families (NPWF)** has extensive information about the FMLA on their website. Visit www.nationalpartnership.org and click on "FMLA" under the "Quick Jump" pulldown menu at the very top of the page, in order to access the "Guide to the Family & Medical Leave Act: Questions and Answers." To order a hard copy of the guide, send an e-mail to info@nationalpartnership.org. Put "FMLA Guide-English" or "FMLA Guide-Spanish" in the subject line and be sure to include your name, mailing address, and quantity needed in the message.
- **The Womens Economic Agenda Project (WEAP)** demands economic justice for poor women and their families. One of WEAPs major initiatives is advocating for employer-provided health care for working women, including helping women to organize for on the job healthcare. Call (510) 451-7379 or visit: <http://www.weap.org/index.html>.
- **9 to 5, National Association of Working Women** offers fact sheets on the FMLA, maternity leave, pregnancy discrimination, and related issues at www.9to5.org/pubs/downloads.php. 9 to 5 also operates a Job Survival Hotline for women who would like help with their work-related challenges. Call 1-800-522-0925 and leave a message including your name, phone number, and a good time to reach you, and you will be contacted by a trained hotline staff person.
- **The National Womens Law Center**, www.nwlc.org offers resources on Family and Medical Leave Act, sexual harassment, affirmative action, contraceptive coverage and equal pay. Among these resources is a consumer guide to contraceptive equity laws, with a state-by-state guide and specific information on how to assert your rights. "Contraceptive Equity Laws in Your State: Know Your Rights – Use Your Rights" is available at <http://www.nwlc.org/pdf/concovstateguide2003.pdf>. The NWLC also publishes: Take Action: Get Your Prescription Contraceptives Covered, which provides resources and suggestions to aid employees in asking their employers to cover prescription contraceptives. Take Action is available at <http://www.nwlc.org/pdf/TakeAction.pdf>.
- **Legal Momentum (formerly the NOW Legal Defense and Education Fund)** offers a Legal Resource Kit entitled Pregnancy and Parental Leave: An Employment Guide, available at <http://www.legalmomentum.org/pub/preg.pdf>.
- **The Program on WorkLife Law at the University of California, Hastings College of Law** seeks to influence workplace norms to better allow parents and caregivers to successfully pursue economic stability and family care goals. Visit <http://www.uchastings.edu/?pid=3624> to find out more. Attorneys with the program offer legal referrals to people who have suffered workplace discrimination because they are parents or caregivers. To speak with a WorkLife Law attorney, call 415-565-4640, or 202-274-4494 or email info@worklifelaw.org.
- **The Womens Bureau of the U. S. Department of Labor** researches and promotes policies to improve working conditions for women. Contact the Womens Bureau: 1-800-827-5335 or 1-800-326-2577 (TDD); www.dol.gov/wb/welcome.html.
- **The Working Womens Department of the AFL-CIO** maintains a website with information on unemployment help, safety and health at work, and other issues. Visit www.aflcio.org/yourjobeconomy/women/
- **The American College of Obstetricians and Gynecologists** produces a pamphlet entitled "Working During Your Pregnancy" (ACOG Publication #AP044), which addresses questions about pregnancy, work, and disability. To order a free copy, e-mail mhyde@acog.org. Include your name, e-mail address, mailing address, and the title and code number of the pamphlet. If you have questions, please call the ACOG Resource Center, 202-863-2518, 9am-5pm EST or fax your request to 202-484-1595 or visit <http://www.acog.org/>.
- **The Equal Employment Opportunity Commission**, also has a fact sheet that might be of use called "Facts About Pregnancy Discrimination," at <http://www.eeoc.gov/facts/fs-preg.html>
- **La Leche League International**, for more information about a mother's right to breastfeed at job sites and other public places, visit www.lalecheleague.org.

- **The American Civil Liberties Union (ACLU) Women's Rights Project** argues women's rights cases in an effort to address sex discrimination. Visit the Pregnancy/Parenting page on their website: www.aclu.org/WomensRights/WomensRightslist.cfm?c=177. Also, state affiliates of the ACLU handle requests for legal assistance. Find your local affiliate at <http://www.aclu.org/Affiliates/subsitesmain.cfm>.
- **National Association of Commissions for Women (NACW)** advocates for equality and justice for women and can connect you to your local commission for women. Call 240-777-8308 or visit: http://www.nacw.org/mc_roster.html.
- **The Mothers Movement Online** provides an open source for the distribution of information about social, cultural, economic and political conditions that impact the lives of mothers. Visit www.mothersmovement.org/index.htm.
- **Mothers & More** is a non-profit membership organization that provides a nationwide network of local chapters for mothers who are by choice or circumstance altering their participation in the paid workplace over the course of their active parenting years. Call 630-941-3553 or visit: <http://www.mothersandmore.org/index.html>.
- **MOTHERS:** is an online resource at www.mothersoughttohaveequalrights.org, that provides information on issues affecting the economic status of caregivers, running a monthly online book group, and offering a downloadable three-hour workshop: "Economic ABC's for Mothers."

Conclusion

Many women have fought discrimination and have improved their lives and their families lives. You can do the same. Know the legal rights you do have and organize and fight for the rights you should have. NAPW hopes that you find the information contained within this Guide useful. To learn more about NAPW, please visit www.advocatesforpregnantwomen.org. Good luck!

- ¹ Columbia University, The Clearinghouse on International Developments in Child Youth & Family Policies, *Tax Day: How Do America's Child Benefits Compare?*, Issue Brief, Spring 2002, available at <http://www.childpolicyintl.org/issuebrief/issuebrief4.html>
- ² Ruth A. Sidel, *Needed: A National Commitment to Families*, UNCOMMON SENSE, available at <http://www.njfac.org/us17.htm> (Feb. 1997).
- ³ Equal Employment Opportunity Commission, *Facts About Pregnancy Discrimination*, available at <http://www.eeoc.gov/facts/fs-preg.html>
- ⁴ Employment Discrimination Coordinator Database, Analysis of Federal Law § 6:36 *Treatment of Pregnancy and Infertility* (2006).
- ⁵ *Tsetseranos v. Tech Prototype*, 893 F. Supp. 109 (D.N.H. 1995).
- ⁶ *Cerrato v. Durham*, 941 F. Supp. 388 (S.D.N.Y. 1996).
- ⁷ Sandy Smith, Family and Work, *How the Balancing Act Disadvantages Women in the Workplace*, available at <http://newmedia.colorado.edu/~socwomen/socactivism/factlabor.pdf>.
- ⁸ Tips for Answering Illegal Interview Questions, available at <http://jobsearchtech.about.com/library/weekly/aa022403-3.htm>; Tom Washington, *Advice on Handling Illegal Interview Questions*, available at <http://www.careerjournal.com/jobhunting/interviewing/19971231-washington.html>.



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