

Know Your Rights: Pregnant and Postpartum Workers

Pregnancy Discrimination

Employers Cannot:

- Fire or cut hours due to pregnancy
- Make unrequested changes in the name of "safety"
- Inquire about intentions to have children or have an abortion

Pregnancy Accommodations

- Pregnant employees generally should receive the same support given to other employees with comparable needs
- Disabilities must be accommodated unless it is an "undue hardship"
- In Indiana, employees are entitled to ask for accommodations, cannot be penalized for doing so, and employers must provide an answer

Time Off for Pregnancy and Infant Care

- Individuals who work at businesses with 50+ employees and meet hour requirements receive 12 weeks of unpaid leave for serious medical needs, prenatal visits, and bonding with an infant
- If leave is taken, employee should be allowed to return to same job without retaliation

Pumping at Work

- Under US law, overtime-eligible employees are entitled to unpaid pumping breaks
- In Indiana, if the workplace has 25+ employees, new mothers have a right to pump on their usual breaks
- If "reasonably possible," a private, non-bathroom space and a cold storage option should be provided
- Discrimination for pumping is generally sex discrimination - always ask for breaks!

Having a workplace issue? -->

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Where to Go

- US Equal Employment Opportunity Commission - Indianapolis (Online Complaint Form)
- Indiana Civil Rights Commission
- Contact your union rep, if you have one
- A Better Balance help line - 1-833-633-3222
- Center for Work/Life Law - (415)-703-8276
- National Employment Lawyers Association

What to Bring

- Employee handbook
- Any applicable medical documentation
- Any disciplinary write-ups you feel may be related to pregnancy or postpartum issues
- Any other written communications with your employer
- A recent paystub
- Union rep contact information and collective bargaining agreement (if applicable)

What to Say

- What you are asking for help with
- What you have said to your employer and their response
- If you have been fired or disciplined, why you believe it is due to pregnancy or postpartum issues
- How your boss would characterize your disciplinary action - even if you don't believe it is fair or true



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