

TIPS TO HELP YOU PROTECT YOUR RIGHTS

1

Promptly inform your employer of your current and upcoming caregiving responsibilities.

2

Discuss your employer's benefit policies. For example, find out if you have an Employee Assistance Program that offers support to caregivers.

3

Ask your employer about company leave policies that relate to your caregiving responsibilities.

4

Have a conversation with your employer about the possibility of job sharing, working part-time, or creating flex-time schedules.

5

Keep doing a good job at work, and keep a private record of your work, as well as any positive performance evaluations or feedback.

6

Get legal advice from someone who knows about family responsibilities and caregiver discrimination law. You may have additional protections under state and local laws.

For more information please go to:

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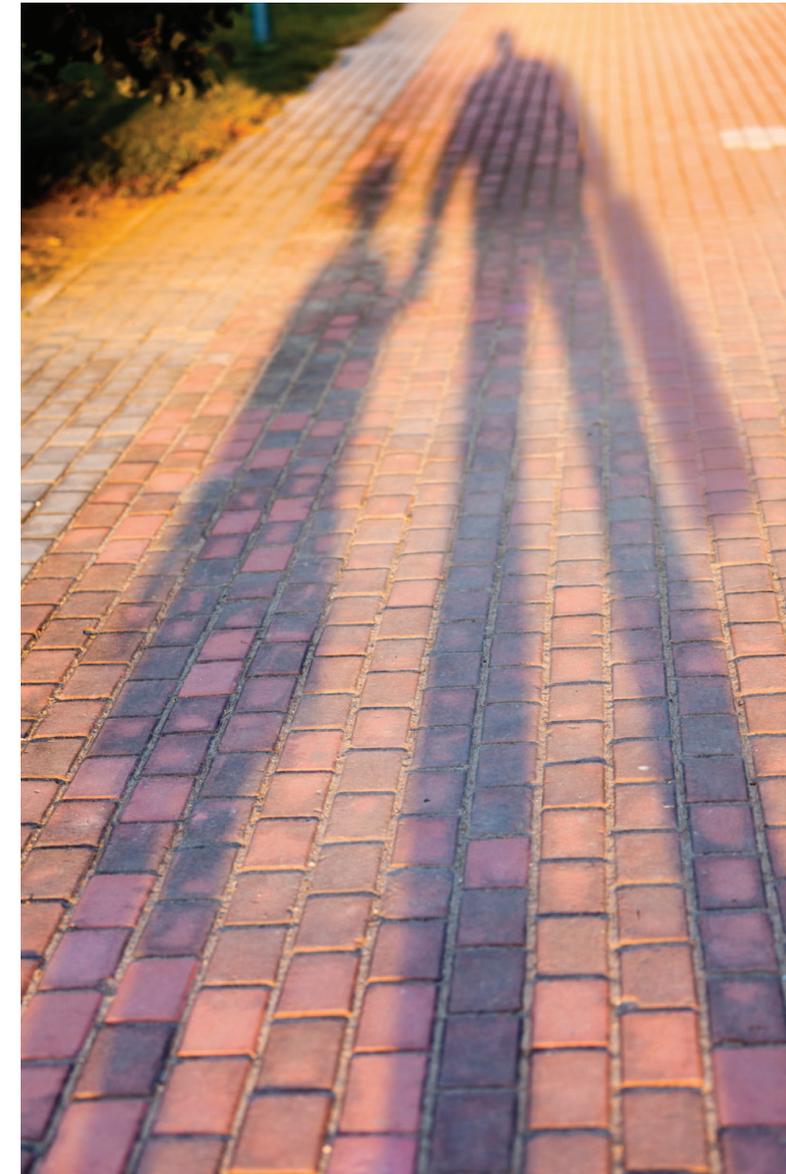
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pregnancy, family responsibilities, and your career

dignity at work

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KNOW YOUR RIGHTS: PREGNANCY, FAMILY RESPONSIBILITIES, AND YOUR CAREER ---

Working caregivers often struggle to balance family needs with job demands. Federal laws, as well as local laws in some instances, provide protections allowing employees to thrive in their careers while caring for their families.

PREGNANCY

Common Questions & Concerns: Can I take time off during my pregnancy? Will my job be there when I return? What if I am treated differently?

The Law: The Family Medical Leave Act (FMLA) allows qualified employees to take up to 12 weeks of unpaid leave in 12 months; entitles them to continued health insurance benefits; and requires their employer to offer them the same or equivalent position when they return. Qualified employees are those who have worked for at least one year, over 1,250 hours in the prior year, and whose employer has at least 50 employees in a 75 mile radius. Under the Pregnancy Discrimination Act, your employer cannot treat you differently because you are pregnant and cannot force you to take a leave of absence if you can still perform your normal duties. Other federal and local laws may entitle you to a job accommodation if you are unable to perform your normal duties because of pregnancy.

BIRTH OR ADOPTION

Common Questions & Concerns: How do I plan

for delivery while working? Can I take time off to care for and bond with my newborn? What if I want to spend time with my adopted child? After giving birth, what do I do if I am pumping or expressing milk?

The Law: The same FMLA leave, job security, and health benefits rights apply for childbirth and the care of your newly born, adopted, or fostered child, whether you are a man or woman. Also, after you have given birth, the Affordable Care Act gives you the right to unpaid nursing breaks and a private, sanitary place to express or pump breast milk until the child is one year old.

FLEXIBLE SCHEDULES AND SICK TIME

Common Questions & Concerns: What do I do if a caregiving emergency interferes with my normal work schedule? What if I need to take a day off to tend to my family responsibilities or take care of my sick child? Is my employer required to adopt flexible work policies?

The Law: Although there is no law that explicitly requires employers to provide flex time schedules, your employer may offer this benefit. Further, employers cannot discriminate based on gender or caregiving responsibilities when granting time off or

flex time requests. Though unpaid, FMLA leave may be used in certain instances to care for immediate family members who are sick. Some employers offer paid sick and vacation days to care for a sick family member and local laws may also require paid time off to care for sick family members.

WHAT IF I'M BEING TREATED DIFFERENTLY?

Common Questions & Concerns: What if I am being stereotyped or treated differently at work because of my pregnancy or caregiver role? What if my employer fires me or punishes me because of my pregnancy or caregiving responsibilities?

The Law: Title VII of the Civil Rights Act requires employers to treat women and men equally with respect to leave, benefits, and the terms and conditions of their employment; employers may not treat women or men differently based on their status as parents or pregnancy. Local laws may afford even greater protections. The law also prohibits retaliation against people who complain about discrimination in the workplace. If you believe you are being treated differently you should contact an attorney promptly, since there are short time limits to pursue your rights under the law.