



PDA Prohibits Discrimination Against Pregnant New Employees

News

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Greg Bulgrin, of the Chicago office, was quoted in the December 14 *SHRM Online* article "PDA Prohibits Discrimination Against Pregnant New Employees." The article reported that the Family and Medical Leave Act (FMLA) does not apply to workers employed for less than a year, therefore employers are not under a legal obligation to accommodate pregnant new employees. Title VII of the Civil Rights Act, as amended by the Pregnancy Discrimination Act (PDA), however, may require an employer to accommodate if there are complications beyond a routine pregnancy. Greg said: "The key to navigating the tricky issue of having a newly hired pregnant employee is to be fair and consistent in the application of company policies. If a company modifies temporarily disabled employees' job tasks during the duration of temporary disabilities, the pregnant employee should be provided a modification to the same extent as other temporarily disabled employees. If a company allows leave for personal reasons or short-term disability leave, newly hired pregnant employees should be allowed the same leave opportunities as other newly hired temporarily disabled employees," He noted that it is important for employers to research state and local laws to determine if compliance is needed beyond the federal law.

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