

Pregnant, Postpartum and Pumping Workers: KNOW YOUR RIGHTS IN THE WORKPLACE

Two new laws, the Pregnant Workers Fairness Act (PWFA) and the Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act), provide expanded protections to workers who are pregnant, postpartum or pumping.

Federal Protections for Pregnant Workers

- The **Family and Medical Leave Act** (FMLA) provides eligible employees job-protected leave for prenatal care or when a pregnant worker is unable to work because of the pregnancy. The FMLA also provides a right to take leave for required counseling, court appointments and related travel prior to foster care placement or adoption.
 - The **PWFA** requires covered employers to provide “reasonable accommodations” to a worker’s known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an “undue hardship.”
 - **Title VII of the Civil Rights Act** (Title VII) prohibits discrimination and harassment based on pregnancy, childbirth, or related medical conditions in any aspect of employment including hiring, firing, pay, promotions, training and more.
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Federal Protections for Postpartum and Pumping Workers

- The **FMLA** provides eligible employees of covered employers a right to unpaid, job-protected leave for their baby’s birth or placement of a child for adoption or foster care. This right is afforded for the birth or placement, and to bond with the child within the first year after birth or placement.
 - The Fair Labor Standards Act (FLSA) as amended by the PUMP Act, requires most employers to provide covered **nursing workers reasonable break time** and a private space, other than a bathroom, to pump breast milk for one year after the baby’s birth.
 - The protections of the **PWFA** and **Title VII** also apply to postpartum and pumping workers.
 - It’s important that workers and employers also understand that **Title VII**, the **PWFA**, **FLSA**, and **FMLA** protect workers from discrimination or retaliation when they question employer practices or assert their rights.
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More Information



or visit

dol.gov/agencies/whd/maternal-health
eoc.gov/pregnancy-discrimination